



REPORT TO: MORAY COUNCIL ON 12 FEBRUARY 2020

SUBJECT: POLITICAL BALANCE – APPOINTMENTS TO COMMITTEE

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

- 1.1 To invite the Council to consider proposals regarding political balance allocations for Committees.
- 1.2 This report is submitted to Committee in terms of Section II (11) of the Council's Scheme of Administration relating to appointments to Committees

2. RECOMMENDATION

2.1 That the Council consider and agree:-

- i) the size of the Council's Committees and sub Committees;**
- ii) the political balance allocations for Committees following a change in the political balance of the Council to ensure business can continue to be conducted to avoid impasse situations arising; and**
- iii) nominations from Group Leaders of Councillors to each Committee and sub Committee.**

3. BACKGROUND

- 3.1 Following the retirement of Councillor Ron Shepherd and the subsequent bi-election held on 21 November 2019, the political balance of the Council has changed.
- 3.2 At the special meeting of Moray Council on 13 June 2018, following a resolution to change the constitution and administration, the Council agreed that principal committees would have 13 members made up of 5 SNP group members, 3 Independents and non-aligned Conservative group members; 3 Conservative group members and 2 MAG group members (paragraph 2 of the minute refers).

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

None

(b) Policy and Legal

There is no legislation in Scotland governing how Local authority committees should be constituted.

The local Government and Housing Act 1989 requires local authorities in England to give proportionate representation to political groups. A political group is defined there as 2 or more councillors who wish to form a group and who have appointed a leader. This legislation has never been introduced in Scotland. COSLA issued a letter to all newly formed unitary authorities in 1993 highlighting the importance of “party representation” on committees. The Scottish Government have mentioned the introduction of legislation similar to that in England if local authorities do not stick to the spirit of the COSLA letter.

Moray Council has traditionally treated non-aligned councillors collectively as a group but this does not appear to be a requirement of the COSLA letter. Practice varies across Scotland as to how “party representation” is applied to particular circumstances.

(c) Financial Implications

Payment of allowances to Members is governed by the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2016 and the Local Government (Allowances and Expenses) (Scotland) Regulations 2007 with maximum rates of payment of remuneration and allowances and expenses being specified by Scottish Ministers.

(d) Risk Implications

Impact on strategic management of the business of the Council.

(e) Staffing Implications

None

(f) Property

None

(g) Equalities/Socio Economic Impact

None

(h) Consultations

None

5. CONCLUSION

5.1 That the Council consider Committee representation.

Author of Report: Alasdair McEachan, Head of Strategy, Governance and Performance

Background Papers:

Ref: