



# Title of report: Appointments to Council Committees

**Meeting: Council**

**Meeting date: Friday 5 December 2025**

**Report by: Solicitor to the Council**

## **Classification**

Open

## **Decision type**

This is not an executive decision

## **Wards affected**

(All Wards);

## **Purpose**

To exercise those powers reserved to Council to review political proportionality and determine the allocation of seats on Council committees.

## **Recommendation(s)**

**That:**

- a) the allocation of those seats to political groups as set out at appendix 1 (*to follow*) be approved.**

## **Alternative options**

1. To draw up a different set of committees of a different size and composition with different terms of reference.
2. Council could decide to suspend the rules of proportionality for all committees and establish its own criteria for appointing members to its committees. This would require a vote to do so in respect of each committee to which these rules apply and without any member of the council voting against each proposal. However, such a blanket approach is inconsistent with the spirit of political proportionality within the Local Government and Housing Act 1989 and would additionally require

Council to approve which councillor would take each individual seat on the relevant committees and outside bodies.

### Key considerations

3. Council is required to review its political composition and how this is applied to appointments to committees and sub-committees of the council when there is a change in the political make-up of the Council.
4. The membership of the respective political groups at the council is shown in the table below:

Political Group	Membership
Conservative Group	20
Independents for Herefordshire	8
Liberal Democrats	12
The Green Party	8
True Independents	2
Total members in a Group	50
Labour	1*
Not aligned	2
<i>Total Members not in a group</i>	3
<i>Total</i>	53

\*Under the rules concerning political groups in the constitution (section 2.2.23) a political group must have two or more members. Councillor Adam Spencer identifies as a Labour councillor but for the purposes of the political proportionality calculations is not aligned to any political group.

5. Council is under a duty to ensure membership of those committees and outside bodies covered by the relevant rules reflects the political composition of the council, as far as practicable, by allocating seats on the committees to political groups in proportion to their numerical strength on the council, whilst also maintaining a similar proportional balance of overall seat numbers. Once Council has approved the allocation of seats to political groups, it is a matter for the relevant political group leaders to confirm which of their members will take up any seats allocated to their group.
6. Any member who is not aligned to a group is not entitled to an allocation of seats within these rules. It is only where the proportionality calculations have been made and if any seats remain unallocated that Council may determine to appoint a member that is not a member of one of the political groups on the Council.
7. It is open to Council to suspend the rules of political proportionality in relation to the allocation of seats on any particular body. To do so requires approval by Council with no member voting against the proposal; this is known as a *nem con* vote. Abstentions do not invalidate such a vote.
8. The table in appendix 1 (*to follow*) details the allocation of seats on the existing committees based on the political composition of the Council set out in paragraph 4 above. The political composition of the Council has changed since the previous calculation of proportionality on 23 May 2025; The Green Party Group has decreased in number by one to 8 and the Independents for Herefordshire

Group has increased in number by one to 8. Appendix 1 will be circulated following consultation with Group Leaders.

9. The rules of political proportionality should also be applied when allocating seats on outside bodies to which the council makes three or more appointments. The change to the political composition of the Council has a minimal effect upon the political proportionality calculation in respect of the outside bodies below. Within the rules governing political proportionality there is no requirement to review the current allocation of seats on the outside bodies.

## **Community impact**

10. In accordance with the council's adopted code of corporate governance, the council is accountable for how it uses the resources under its stewardship, including accountability for outputs and outcomes achieved. In addition the council has an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies.

## **Environmental Impact**

11. Whilst this is a decision on back office functions and will have minimal environmental impacts, consideration has been made to how it is in line with the council's Environmental Policy.

## **Equality duty**

12. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
13. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this is a decision on the administrative functions of the Council, we do not believe that it will have an impact on our equality duty however the council will seek to ensure that all appointments are made fairly (i.e. no discrimination on the basis of protected characteristics) and that committee meetings are physically accessible to all.

## **Resource implications**

14. Budgets are in place to cover allowances for any appointments made. In the event that Council decides on the establishment of additional committees a budget will need to be identified to meet the cost of any special responsibility allowance associated with the new committee. If Council agrees additional committees, appointments to the position of chairperson and vice chairperson will be agreed, if appropriate, during consideration of this report. All members appointed to positions of

special responsibility and to committees are provided with training to enable them to fulfil their duties.

## Legal implications

15. The council is required to ensure that the allocation of seats to committees is compliant with relevant rules contained in the Local Government and Housing Act 1989 and regulations made under that act.
16. In summary these regulations require that in determining the allocation of seats the council must apply the following four principles as far as reasonably practicable:
  - a. that not all the seats on the body are allocated to the same political group;
  - b. that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
  - c. subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
  - d. subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.
17. The proposals in this report comply with these requirements. Once the proportionate allocation of seats has been made in accordance with the above principles, if any seats remain unallocated Council may determine to appoint a not aligned grouped member to fill the seat.
18. Alternative arrangements not complying with these requirements as set out in paragraph 7 may be made so long as no member of the council votes against it.

## Risk management

19.

	Risk / opportunity	Mitigation
	Failure to appoint to committees and outside bodies could render them inquorate or unlawful	The recommendations in this report mitigate these risks
	Failure to obey the rules of political proportionality could similarly render a committee or body unlawful	The recommendations in this report mitigate these risks

## Consultees

20. No consultees.

## **Appendices**

Appendix 1: Table of allocation of seats on committees of council (*to follow*)

## **Background papers**

None identified