
STATUTORY INSTRUMENTS

1990 No. 1553

**The Local Government (Committees
and Political Groups) Regulations 1990**

PART IV

REVIEWS AND ALLOCATIONS OF SEATS

Review of allocation of seats to political groups

17. The duty under section 15 to review the representation of different political groups shall be performed at the following times which are prescribed for the purposes of section 15(1)(e)—

- (a) at, or as soon as practicable after, the first meeting of the authority after 31st May in each financial year commencing with the financial year beginning 1st April 1991, where—
 - (i) the authority does not hold annual meetings in accordance with paragraph 1 of Schedule 12 to the 1972 Act⁽¹⁾ (annual meetings of principal councils); and
 - (ii) the members of the authority are divided into different political groups at the time of that meeting;
- (b) as soon as practicable after there is delivered to the proper officer a notice under regulation 8, where such delivery is more than one month after the last review carried out in accordance with section 15(1)(b) of the 1989 Act or, as the case may be, paragraph (a) above;
- (c) as soon as practicable after there is delivered to the proper officer a notice under paragraph (b) of regulation 9 which—
 - (i) is accompanied by a further notice signed as mentioned in that paragraph and requesting a review under section 15 of the 1989 Act; and
 - (ii) is received by him more than one month after the last such review;
- (d) as soon as practicable after there is delivered to the proper officer a notice under regulation 9(b) which is accompanied by such a notice as is mentioned in paragraph (c) (i) and each such notice—
 - (i) is signed by a member elected to the authority pursuant to section 89 of the 1972 Act⁽²⁾; and
 - (ii) is received by the proper officer not more than one month after the date of the member's election.

(1) Paragraph 1 of Schedule 12 to the Local Government Act 1972 (c. 70) was applied to joint authorities by Schedule 14 to the Local Government Act 1985 (c. 51), and section 10(3) of the Local Government Act 1986 (c. 10).

(2) Section 89 was amended by the Representation of the People Act 1983 (c. 2), Schedule 8, paragraph 13, the Representation of the People Act 1985 (c. 50), section 19(6)(c), and the Local Government Act 1985 (c. 51), Schedule 17.

Reviews — political assistants

18. Where a relevant authority as defined in section 9(11) of the 1989 Act in relation to England and Wales makes an appointment to a post for the purposes of section 9 of the 1989 Act the authority shall from time to time review allocations made for the purposes of that section.

Exceptions to requirements for committees to review arrangements for allocations of seats

19. For the purposes of section 15(2) of the 1989 Act the following cases are prescribed as cases where a committee of an authority shall not be under a duty to review the representation of different political groups on bodies to which the section applies to which it has power from time to time to make appointments—

- (a) where the committee has undertaken such a review in relation to that body following the date of the last meeting of the authority of which it is a committee; and for this purpose an extraordinary meeting, within the meaning of paragraph 3 of Part 1 of Schedule 12 to the 1972 Act, of an authority to which that Part applies shall not be treated as a meeting of that authority;
- (b) where the committee may only make the appointment by virtue of arrangements made under section 101 of the 1972 Act and the authority of which it is a committee is not required to undertake a review;
- (c) where the committee was established exclusively to discharge functions of the authority or to advise the authority or another committee of the authority in respect of any part of the area of the authority, and—
 - (i) the authority is a county, district or London borough council; and
 - (ii) the voting members of the committee consist solely of persons who are elected for electoral divisions or wards which are wholly or partly within that part; and
 - (iii) the area of that part does not exceed two-fifths of the total area of the authority; or
 - (iv) the population of that part, as estimated by the authority, does not exceed two-fifths of the total population of the area of the authority as so estimated.

Procedure for alternative arrangements for review

20.—(1) For the purposes of section 17(1) of the 1989 Act alternative arrangements for appointments to a body shall be approved in the manner prescribed in paragraph (2).

(2) Notice of the proposal to adopt such arrangements shall be given to each member of the authority or committee, as the case may be, in accordance with the provisions of paragraph 4(2)(b) and (3) of Part I of Schedule 12 to the 1972 Act as if that notice were a summons to attend a meeting of a principal council within the meaning of section 270 of that Act(3) and as if the authority or committee were such a council.

(3) It shall be sufficient compliance with paragraph (2) if an agenda indicating that the approval of alternative arrangements for appointments is to be considered by the authority or committee is sent to every member of the authority or committee, as the case may be.

(4) Any appointment made by an authority or committee in accordance with alternative arrangements shall not be invalidated by reason only that a member has not received such notice or agenda as is mentioned in paragraph (2) or (3).

(3) 1972 c. 70; there are relevant amendments made by Schedule 16 and 17 to the Local Government Act 1985 (c. 51).