

BARNSLEY METROPOLITAN BOROUGH COUNCIL

This matter is not a key decision within the Council's definition and has not been included within the relevant forward plan.

**Report of the Director of Legal
and Governance**

**Local Government and Housing Act 1989: Yorkshire Purchasing
Organisation (YPO) Joint Committee: Disapplication of Political Balance
Rules**

1. Purpose of Report

- 1.1 This report requests approval from Council to dis apply the rules of political proportionality contained in the Local Government and Housing Act 1989 in making appointments to the Management Committee of the YPO Joint Committee and its Sub Committees.
- 1.2 The Local Government and Housing Act 1989 Section 17 allows an Authority to agree the requirements of political balance shall not apply when appointing to committees. Approval of the recommendation will allow each Authority, to appoint the member of their choice, to the YPO Management Committee.

2. Recommendations

That Cabinet recommend to Council that, in accordance with the provisions of Section 17 of the Local Government and Housing Act 1989 the Council resolves that the rules of political balance shall not apply in making appointments to the Management Committee of the YPO Joint committee and its Sub committees.

3. Background

- 3.1 Sections 15 and 16 of the Local Government and Housing Act 1989 require local authorities to apply political balance rules when making appointments to the ordinary Committees of the Council. These provisions also apply to Joint Committees to which appointments are made by the Council. Section 17 of that Act allows an exception to the political balance requirements where other arrangements are approved by the Authority.

- 3.2 Consideration has been given to the application of this legislation with regard to the arrangements for appointing to the Yorkshire Purchasing Organisation (YPO). Practices with regard to the application of rules of political proportionality are inconsistent across the membership of the YPO and there is a need for the approach to be rationalised.
- 3.3 The view has been taken that in the case of a cross regional body such as the YPO strict application of the rules on political proportionality is not considered to be necessary and reduces flexibility. It would be more appropriate for each member Authority of the YPO to determine who their representative(s) on the Joint Committee and its Sub Committees should be.
- 3.4 A number of member authorities have operated such a flexible approach including Barnsley where the Cabinet member for Corporate affairs and one other member have been appointed to the Joint Committee. The existing appointees are Councillor Gardiner as the relevant Cabinet member and Councillor Barnard. The officers advising the Joint Committee have suggested that the approach be formalised by the relevant member Authorities resolving in accordance with section 17 of the 1989 Act to disapply political balance rules.

4. Proposal

- 4.1 Approval of the recommendation will provide the flexibility for each member Authority of the YPO to appoint members of their choice to the Joint Committee and its Sub Committees.

5. Consultation

- 5.1 No wider consultation is necessary in relation to this report.

6. Financial Implications

- 6.1 None arising from this report.

7. Legal Implications

- 7.1 The legal provisions allowing the Council to not apply the political balance rules have been referred to earlier in this report.

8. Employee Implications

- 8.1 None arising from this report.

9. Glossary

YPO - Yorkshire Purchasing Organisation.

10. Background Papers

There are no background papers relating to this report

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