

## SCHEDULES

### SCHEDULE 1

#### POLITICAL BALANCE ON LOCAL AUTHORITY COMMITTEES ETC.

##### *Construction of sections 15 to 17*

- 3 (1) The Secretary of State may, for the purposes of sections 15 and 16 of this Act, by regulations make provision—
- (a) as to the circumstances in which the members of a relevant authority are to be treated as divided into different political groups;
  - (b) as to the persons who are to be treated as members of such a group and as to when a person is to be treated as having ceased to be a member of such a group;
  - (c) requiring the question whether a person is or is not a member of a political group to be determined in such manner as may be provided for by or under the regulations;
  - (d) specifying the manner in which, and times at which, the wishes of such a group are to be expressed and the consequences of a failure by such a group to express its wishes.
- (2) Regulations under this paragraph may make provision modifying the provisions of sections 15 and 16 of this Act in relation to any case in which some of the members of a relevant authority fall to be treated as members of one or more political groups and the others do not.
- 4 (1) In sections 15 to 17 of this Act and this Schedule—
- “advisory committee”, in relation to a relevant authority, means a committee appointed by the authority under section 102(4) of the Local Government Act 1972 or section 57(4) of the Local Government (Scotland) Act 1973 (advisory committees);
  - “education committee”, in relation to a relevant authority in England and Wales, means any committee appointed by the authority in accordance with arrangements approved under Part II of Schedule 1 to the Education Act 1944;
  - “membership”, in relation to a relevant authority, means the number of persons who are for the time being members of the authority, disregarding any person who is treated as continuing to be a member of the authority by virtue of section 3(3) of the Local Government Act 1972 (chairman to continue as a member until replaced);
  - “ordinary committee”—
- (a) in relation to any relevant authority in England and Wales, means the authority’s education committee, their social services committee or any other committee of the authority appointed under section 102(1)(a) of the Local Government Act 1972, not being a body to which section 15 of this Act applies by virtue of paragraph 2 above; and

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*Status: This is the original version (as it was originally enacted).*

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- (b) in relation to any relevant authority in Scotland, means the authority's education committee, their social work committee or any committee of the authority appointed under section 57(1)(a) of the Local Government (Scotland) Act 1973;

“relevant authority”—

- (a) in relation to England and Wales, means a local authority of any of the descriptions specified in paragraphs (a) to (c) or (f) to (j) of section 21(1) of this Act; and

- (b) in relation to Scotland, means a local authority;

and

“seat”, in relation to a body to which section 15 of this Act applies, means such a position as a member of that body as—

- (a) entitles the person holding the position to vote at meetings of the body on any question which falls to be decided at such a meeting; and
- (b) in the case of a position as member of an advisory committee or of a sub-committee appointed by an advisory committee, is not a position which the authority or committee have determined must be filled by the appointment of a person who is not a member of the authority.

(2) In this Schedule—

“ordinary sub-committee”—

- (a) in relation to any relevant authority in England and Wales, means any sub-committee of the authority's education committee or social services committee or any other sub-committee of that authority appointed under section 102(1)(c) of the Local Government Act 1972 by an ordinary committee of that authority; and
- (b) in relation to any relevant authority in Scotland, means any sub-committee of an ordinary committee;

“social services committee”, in relation to any relevant authority in England and Wales, means any committee established by the authority under section 2 of the Local Authority Social Services Act 1970; and

“social work committee”, in relation to a relevant authority in Scotland, means any committee appointed by the authority under section 2 of the Social Work (Scotland) Act 1968.

(3) References in this paragraph to voting include references to making use of a casting vote.