

<b>REPORT TO:</b>	<b>ANNUAL COUNCIL</b>
<b>DATE:</b>	<b>22 MAY 2017</b>
<b>AGENDA ITEM:</b>	<b>8</b>
<b>SUBJECT:</b>	<b>POLITICAL BALANCE OF THE COUNCIL AND COMPOSITION OF COMMITTEES</b>
<b>LEAD OFFICER:</b>	<b>DIRECTOR OF LAW AND MONITORING OFFICER</b>
<b>WARDS:</b>	<b>ALL</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b>	
The Council is required under the Local Government and Housing Act 1989 to keep under review the representation of the different political groups on bodies appointed by the Council. Section 2 of Part 4.A of the Constitution empowers the Council to appoint non-executive Committees at its annual meeting.	
<b>FINANCIAL SUMMARY:</b>	
There are no financial issues arising from the recommendations in this report.	
<b>THIS IS NOT A KEY DECISION</b>	

## **1. RECOMMENDATIONS**

That Council:

- 1.1 Having reviewed the representation of the political groups on the Council, confirms that there are 39 Labour Group Members and 30 Conservative Group Members and one ungrouped Member (as set out in Para 3.1.1); and
- 1.2 Approves the appointment and composition of Committees as set out in paragraph 3.2.7.

## **2. INTRODUCTION**

- 2.1 The Council is required under Section 15(1) of the Local Government and Housing Act 1989, to keep under review the representation of the different political groups on bodies appointed by the Council.
- 2.2 This report details:
  - i) The annual review of the political balance of the Council; and
  - ii) Recommends the appointment and composition of Committees for the 2017/18 Municipal Year.

### 3. POLITICAL GROUPS

3.1 In accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, the under-mentioned Councillors have given notice to the Chief Executive of their wish to be regarded as members of the political groups as set out below:

#### **Labour Political Party**

1. Hamida Ali
2. Jamie Audsley
3. Jane Avis
4. Kathy Bee
5. Carole Bonner
6. Alison Butler
7. Robert Canning
8. Sherwan Chowdhury
9. Pat Clouder
10. Stuart Collins
11. Sean Fitzsimons
12. Alisa Flemming
13. Timothy Godfrey
14. Simon Hall
15. Patricia Hay-Justice
16. Maddie Henson
17. Karen Jewitt
18. Humayun Kabir
19. Bernadette Khan
20. Shafi Khan
21. Stuart King
22. Toni Letts
23. Oliver Lewis
24. Stephen Mann
25. Maggie Mansell
26. Tony Newman
27. Andrew Pelling
28. Joy Prince
29. Andrew Rendle
30. Pat Ryan
31. Paul Scott
32. Mike Selva
33. Wayne Trakas-Lawlor
34. Manju Shahul-Hameed
35. Mark Watson
36. John Wentworth
37. David Wood
38. Louisa Woodley
39. Callton Young

#### **Conservative Political Party**

1. Jeet Bains
2. Sara Bashford
3. Sue Bennett
4. Margaret Bird
5. Simon Brew
6. Janice Buttinger
7. Richard Chatterjee
8. Luke Clancy
9. Mario Creatura
10. Jason Cummings
11. Michael Fisher
12. Maria Gatland
13. Lynne Hale
14. Steven Hollands
15. Yvette Hopley
16. Dudley Mead
17. Margaret Mead
18. Vidhi Mohan
19. Michael Neal
20. Stephen O'Connell
21. Jason Perry
22. Helen Pollard
23. Timothy Pollard
24. Badsha Quadir
25. Donald Speakman
26. Andy Stranack
27. Philip Thomas
28. James Thompson
29. Susan Winborn
30. Christopher Wright

#### **Ungrouped**

1. Matthew Kyremeh

## 3.2 Proportionality

3.2.1 Section 15 of the Local Government and Housing Act 1989 (Duty to Allocate Seats to Political Groups) sets out the requirements as to political proportionality on Council bodies and requires the Council, in allocating seats on committees and sub-committees of the Council to political groups, to give effect, so far as practicable, to the following rules:

- (i) that not all seats on the committee/sub-committee are allocated to the same political group;
- (ii) that the political group having a majority of seats on the Council should have a majority on each committee and sub-committee;
- (iii) that, subject to (i) and (ii) above, the number of seats on the Council's committees and sub-committees allocated to each political group, bears the same proportion to the total number of such committee/sub-committee seats as the number of members of that group bears to the membership of the full Council, and
- (iv) that, subject to (i) to (iii) above, seats will be allocated on each committee and sub-committee in the same ratio as exists on the full Council.

3.2.2 The Council's overriding duty to comply with (i) and (ii) above takes precedence over achieving a mathematically balanced distribution of Committee seats as described in (iii) and (iv). Applying those rules the table below sets out the allocation of seats.

	<b>Political Composition- percentage seats out of 70</b>	<b>Proposed allocation of actual seats out of 95 voting seats</b>	<b>Percentage outcome of allocation of 95 voting seats*</b>
Labour Group	55.7%	59	62.1
Conservative Group	42.9%	36	37.9
ungrouped	1.4. %	0	0
	100%	95	100

\*3.2.7 below shows that there are 95 voting seats available to political groups. Where co-optees can vote, the allocation has to take into account the need for the Majority party to have a majority of seats over all Minority party members **and** co-opted members. The proposed percentage allocation only includes those seats to which elected Members can be appointed.

- 3.2.3 The Ethics Committee is separately constituted. The Standards Board for England was abolished by the Localism Act 2011 and the political balance requirements of the 1989 Act do not apply to the Ethics Committee. However the Constitution provides that all political groups must be represented. The Ethics Committee is constituted of six Councillors and two non-elected Independent persons.
- 3.2.4 Under the Licensing Act 2003, Sub-Committees of the Licensing Committee are constituted separately. There is no statutory requirement for political balance or for it to be included in the Council's political balance calculations, but it is the practice of the authority to ensure that, as far as reasonably practicable, such Sub-Committees are constituted in accordance with the Council's scheme of proportionality.
- 3.2.5 The Health & Well-Being Board is separately constituted under the Health and Social Care Act 2012. Regulations made under the Health and Social Act 2012 provide that Section 15 of the Local Government and Housing Act 1989 (Duty to Allocate Seats to Political Groups) need not apply to the composition of this Board.
- 3.2.6 The Local Pension Board is constituted under the Public Pensions Act 2013 and the Local Government Pensions Scheme (Amendment) Regulations 2015. The proportionality rules do not apply to the Board which has three employer representatives and three employee representatives and an Independent non-voting Chair. One of the Employer representatives is a Councillor (Labour). The other employer representatives are employers who are Admitted Bodies.
- 3.2.7 In accordance with Article 4.01(f) of the Constitution, the Council is required to decide on the composition of Committees and make appointments to them. It is therefore proposed that Council appoint the following Committees and agree their composition:

	Majority seats	Minority seats	Co-optees <sup>1</sup>	Total seats
Appointment Committee	4	2	2	8
Ethics Committee	4	2	2	8
General Purposes & Audit Committee	6	4	2	12
Mayoralty & Honorary Freeman Selection Sub-Committee	3	2	0	5
General Purposes & Audit Committee: Urgency Sub-Committee	2	1	0	3
Licensing Committee	7	5	0	12
Licensing Sub-Committee*	2	1	0	3
Pensions Committee	5	3	3	11
Planning Committee	6	4	0	10
Planning Sub-Committee	3	2	0	5
Scrutiny and Overview Committee	4	2	1	7
Children and Young People Scrutiny Sub-Committee	5	3	5	13
Health & Social Care Scrutiny Sub-Committee	4	2	1	7
Streets, Environment & Homes Scrutiny Sub-Committee	4	3	0	7
	59	36	16	111

\* subject to paragraph 3.2.4 above

## 4. LEGAL IMPLICATIONS

4.1 The recommendations contained within this report are compliant with the Council's duties under the Local Government and Housing Act 1989, the Local Government (Committees and Political Groups) Regulations 1990, the Local Government Act 2000, the Licensing Act 2003, the Health and Social Care Act 2012, the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, and the Council's Constitution.

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<sup>1</sup> Co-opted members are non-voting except for four of the five co-optees on the Children & Young People Scrutiny Sub-Committee in respect of issues relating to the Council as a Local Education Authority; and the two Independent Persons, on the Appointment Committee, for specified purposes, as detailed in paragraph 1.4, Part 4E and paragraph 2, Part 3 of the Council Constitution respectively.

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**BACKGROUND DOCUMENTS:** None.