

# LONDON BOROUGH OF CROYDON

<b>REPORT:</b>	<b>General Purposes Committee</b>	
<b>DATE OF DECISION</b>	<b>10<sup>th</sup> June 2024</b>	
<b>REPORT TITLE:</b>	<b>General Purposes Urgency Sub-Committee - Political Balance Review and Appointments</b>	
<b>CORPORATE DIRECTOR / DIRECTOR:</b>	<b>Stephen Lawrence-Orumwense</b> <i>Director of Legal Services and Monitoring Officer</i>	
<b>LEAD OFFICER:</b>	<b>Adrian May</b> <b>Interim Head of Democratic Services</b>	
<b>CONTAINS EXEMPT INFORMATION?</b>	<b>No</b>	Public
<b>WARDS AFFECTED:</b>	<i>All</i>	

## 1 SUMMARY OF REPORT

- 1.1 This report fulfils the Committee's duty to review political balance, allocate seats and make appointments, in accordance with the wishes of the political groups, in respect of the General Purposes Urgency Sub-Committee

## 2 RECOMMENDATIONS

For the reasons set out in the report Council is recommended to:

- 2.1 Review the representation of different political groups on the General Purposes Urgency Sub-Committee.
- 2.2 Agree the allocation of seats on the General Purposes Urgency Sub-Committee, by applying the political balance rules, to the Conservative and Labour groups as set out in paragraph 2.10 of this report.
- 2.3 Appoint to the General Purposes Urgency Sub-Committee, in accordance with the wishes of the relevant political group, the 4 Members and 4 substitutes as set out in paragraph 2.13, with nominations to be moved at the meeting.

### 3 REASONS FOR RECOMMENDATIONS

- 3.1 At the Annual Council meeting on 22 May 2024, Council fulfilled its duty to review the representation of different political groups on certain committees. Thereafter, it determined the allocation of seats and made appointments to those committees, giving effect to the wishes of the political groups allocated the seats.
- 3.2 This report fulfils the Committee's duty to review political balance, allocate seats and, in accordance with the wishes of the political groups, make appointments in respect of the General Purposes Urgency Sub-Committee

### 4 BACKGROUND AND DETAILS

- 4.1 The rules on political balance and committees are set out in sections 15 to 17 of the Local Government and Housing Act 1989 (the 1989 Act) and supplemented by the Local Government (Committees and Political Groups) Regulations 1990.
- 4.2 The Committee is required to review the representation of different political groups on its sub-committee in specified circumstances. As soon as practicable after the review, the Committee then has a duty to determine the allocation to the different political groups all the seats on its sub-committee.
- 4.3 The allocation is determined by applying the political balance rules prescribed by section 15(5) of the 1989 Act. These rules are set out in the next paragraph and are designed to ensure that the political composition of the Council's committees and sub-committees, as far as possible, replicates the political composition of the Council.
- 4.4 The rules are that seats on relevant committees / sub-committees must be allocated to different political groups (i.e. a group of two or more members), so far as reasonably practicable, in accordance with the following four principles:
- (a) That not all the seats on the body are allocated to the same political group. In other words, committees/sub-committees comprising solely of members of the same political group are not allowed.
  - (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 Council's membership. As no political group has an overall majority, this rule is not applicable.
  - (c) Subject to paragraphs (a) and (b) above, that each political group is allocated the same proportion of the total seats across all the *ordinary committees* of the Council as the proportion of the members of the Council that belong to that group. In other words, the total number of seats on certain committees have to be taken together and then allocated proportionately to each political group so far as is possible. This rule is not applicable to sub-committees.

(d) Subject to paragraphs (a) to (c) above, that each political group is allocated the same proportion of the seats on each relevant body as the proportion of the members of the Council that belong to that group.

**4.5** Following the by-elections on 2<sup>nd</sup> May 2024, the vacant seats (conservative and labour seats) on Council, were respectively filled by Andrew Price (Conservative) for the Park Hill and Whitgift ward, and Jessica Hammersley-Rich (Labour) for Woodside Ward.

**4.6** The seating allocation on Council therefore remains the same for the two main political groups (34 and 34), along with the two Green group members and one Liberal Democrat member.

**4.7** The political balance calculations for the purposes of the Annual Council Meeting were therefore based on 71 Members (70 Councillors plus the Executive Mayor).

**4.8** The Constitution, as changed with the approval of Full Council in March 2022, states that the Executive Mayor: "if a member of a political group will be taken into account when calculating seat allocations on Committees and Sub-Committees of which they are a member ...".

**4.9** Accordingly, political balance calculations will be based on the following split:

Labour:  $34/71 = 47.9\%$

Conservative:  $34/71 = 47.9\%$

Green:  $2/71 = 2.8\%$

Liberal Democrat  $1/71 = 1.4\%$

**4.10** Under current arrangements, the General Purposes Urgency Sub-Committee consist of 4 Members drawn from the membership of the General Purposes Committee.

**4.11** As set out in the table below, applying the political balance rules, only the Conservative and Labour groups are entitled to be allocated seats on the General Purposes Urgency Sub-Committee:

	Size	Lab (47.9%)	Cons (47.9%)	Green (2.8%)	Lib Dem (1.4%)
<b>General Purposes Urgency Sub-Committee</b>	<b>4</b>	<b>1.92</b>	<b>1.92</b>	<b>0.11</b>	<b>0.06</b>
<b>Total Seats</b>	<b>4</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>

- 4.12** Following the allocation of seats, the Committee has to make appointments to the General Purposes Urgency Sub-Committee, giving effect to the respective wishes of the Conservative and Labour groups.
- 4.13** Following consultation with the Conservative and Labour groups, and in accordance with their wishes, the Committee is recommended to appoint the following Members and substitutes to the General Purposes Urgency Sub-Committee:

	<b>Conservative</b>	<b>Labour</b>
<b>Members of the General Purposes Urgency Sub-Committee</b>	Tbc	Tbc
	Tbc	Tbc
<b>Substitute Members of the General Purposes Urgency Sub-Committee</b>	Tbc	Tbc
	Tbc	Tbc

- 4.14** Finally, the Committee is asked to note that at any first meeting of the General Purposes Urgency Sub-Committee, the sub-committee would appoint a Chair and Deputy-Chair (who would deputise in the absence of the Chair) for the remainder of the municipal year.

## **5 ALTERNATIVE OPTIONS CONSIDERED**

- 5.1** The law does allow councils to depart from the political balance rules but only if notice of proposals to adopt alternative arrangements is given in the summons to attend the meeting and, at the meeting, no member votes against them. No such notice is included in the summons to this meeting and therefore that option is not available to Members.

## **6 CONSULTATION**

- 3.1.** Chair of General Purposes Committee and Chief Whips of the Council's Conservative Group and Labour Group.

## **7. CONTRIBUTION TO COUNCIL PRIORITIES**

- 7.1** This report contributes to priority 4: Ensure good governance is embedded and adopt best practice.

## **8. IMPLICATIONS**

### **8.1 FINANCIAL IMPLICATIONS**

**8.1.1** There are no financial implications in this report.

### **8.2 LEGAL IMPLICATIONS**

**8.2.1** The law relevant to the decisions to be made by Members is explained and applied in the body of the report. By sections 101 and 102 of the Local Government Act 1972 the Council has the power to arrange for its functions to be discharged in a number of different ways. These include by appointing committees.

### **8.3 EQUALITIES IMPLICATIONS**

**8.3.1** Whilst political parties are not bound by law to implement the Public Sector Equality Duty, the underlying principle of the Equality Act 2010 is that everyone should be treated fairly and has opportunities to fulfil his or her full potential. However, by virtue of providing leadership in the provision of Public Sector Services, members appointed to Local Government committees are bound by the requirements of the Public Sector Equality Duty.

**8.3.2** As a public body, the Council is required to comply with the Public Sector Equality Duty (PSED) as set out in the Equality Act 2010. The PSED requires the Council to have due regard to the need to eliminate discrimination, harassment or victimisation and advance equality of opportunity and foster good relations between different people when carrying out their activities and functions.

**8.3.3** The Equality Act 2010 can help increase diversity and improve participation in the democratic institutions. By fully reflecting the people they serve and the society in which they live, political parties can be more inclusive and make decisions that work for everyone.

## **9. APPENDICES**

**9.1** None

## **10. BACKGROUND DOCUMENTS**

**10.1** None.

## **11. URGENCY**

**11.1** None.