

REPORT TO: FULL COUNCIL

DATE: 15 JULY 2021

TITLE: REVIEW OF POLITICAL BALANCE

LEAD OFFICER: SIMON HILL, HEAD OF GOVERNANCE
(01279) 446099

CONTRIBUTING OFFICER: ADAM REES, SENIOR GOVERNANCE SUPPORT
OFFICER (01279) 446057

RECOMMENDED that Full Council:

- A** Notes the revised political balance calculations in Table 1.
- B** Appoints Councillor John Steer to the Licensing Committee in place of Councillor Tony Durcan.

BACKGROUND

1. The Council has an established Committee structure, whereby a number of ordinary Committees perform the functions that, by law, cannot be performed by the Cabinet. In addition, a number of advisory Panels have been established that do not have decision making powers, but advise the Council on matters in their remit.
2. Councillors are divided into political groups, the provisions of the Local Government and Housing Act 1989 place a duty on the Council to review the allocation between those groups of seats on Committees of the Council at its Annual Meeting. The aim is to ensure that, as far as is practicable, the political composition of the Committees reflects the composition of the Council.
3. The Council is obliged to allocate seats to be occupied by its Members to the political groups into which they are divided. Political groups then nominate the Members of the Council whom they wish to occupy those seats allocated to them. It is for Council to appoint such Councillors to the seats allocated.

ISSUES/PROPOSALS

4. Following the Mark Hall by-election on July 8 2021, the political composition is as below:
 - a) Conservatives – 21 seats
 - b) Labour – 12 seats

5. The political balance calculations have been reviewed and show that the Conservative Group are entitled to an additional seat on one of the four ordinary committees.
6. It is proposed that, in accordance with the requirements of the Local Government and Housing Act 1989, the allocation of ordinary Committee seats to the Council's political groups is as set out in Table 1. This results in the Conservative Group gaining one seat in the Licensing Committee, with the Labour Group having one fewer.

Table 1 – Political Balance Calculation 2021/22 – Ordinary Committees

Committee	Seats	Conservatives	Labour
Audit and Standards Committee	8	5	3
Development Management Committee	8	5	3
Licensing Committee	10	7	3
Scrutiny Committee	8	5	3
Total	34	22	12

IMPLICATIONS

Place (Includes Sustainability)

None specific.

Author: Andrew Bramidge, Head of Environment and Planning

Finance (Includes ICT and Property and Facilities)

None specific.

Author: Simon Freeman, Head of Finance and Property and Deputy to the Chief Executive

Housing

None specific.

Author: Andrew Murray, Head of Housing

Community Wellbeing

None specific.

Author: Jane Greer, Head of Community Wellbeing

Governance (Includes HR)

The Council is required to ensure that the allocation of seats to committees is compliant with the relevant provisions contained in the Local Government and Housing Act 1989 and Regulations made under that act.

The Regulations require that in determining the allocation of seats the council must apply the following four principles as far as it is reasonably practicable to do so:

- a) that not all the seats on the body are allocated to the same political group;
- 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 authority's membership;
- c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
- d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

Failure to appoint to committees and outside bodies could render them not quorate or unlawful; failure to apply the legislative requirements of political proportionality could also mean a committee or body unlawful constituted. This would mean any decision taken by that committee could be seen as unlawful and open to challenge.

The recommendations in this report comply with the statutory requirements above and mitigate the risk to the Council of challenges to its governance and decision making structure.

Author: Simon Hill, Head of Governance

Appendices

None.

Background Papers

None.

Glossary of terms/abbreviations used

None.