

Meeting: Council

Date: 28 May 2019

Wards Affected: All Wards

Report Title: Review of Political Balance and Appointments to Committees and Other Bodies

Is the decision a key decision? No

When does the decision need to be implemented? Immediately

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1. Proposal and Introduction

- 1.1 This report sets out a review of the political balance of the Council, appoints the Council's committees for the new municipal year, ensures the committees have appropriate terms of reference and that appointments to those bodies are made in accordance with the relevant statutory and Constitutional requirements.

2. Reason for Proposal

- 2.1 The Constitution requires Members at the Annual Meeting of the Council to determine which committees to establish for the forthcoming municipal year, their size and terms of reference and the allocation of seats in accordance with the rules of political balance.
- 2.2 Following the local elections on 2 May 2019 the Council is required to agree the appointments to outside bodies and other groups for the next four years.
- 2.3 The Council will establish the Licensing Committee for this municipal year and is also requested to establish the Licensing Sub-Committee in order to make effective and efficient use of resources and to ensure that the Council can continue to discharge its Licensing function

3. Recommendation(s) / Proposed Decision

- 3.1 **That, the overall political balance of the committees as set out at Appendix 1 to the submitted report, be approved;**
- 3.2 **That, subject to 3.1 above being approved, the committees be appointed with the terms of reference set out in Appendix 3 to the submitted report;**
- 3.3 **That, subject to 3.2 and 3.3 above being approved, nominations be received to fill the seats on the committees;**

- 3.4 That, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in Appendix 2 be approved and the working parties be appointed with the Terms of Reference set out in Appendix 3;**
- 3.5 That, the outcome of the review and proposed appointments to the outside bodies and other groups for 2019 to 2023 set out in Appendix 4 to the submitted report be approved;**
- 3.6 That, a sub-committee of the Licensing Committee be established to comprise three members of the Licensing Committee;**
- 3.7 That the terms of reference of the Licensing Sub-Committee be to consider and determine all matters in connection with the licensing applications (including those set out in the Statement of Licensing Policy and Gambling Act Policy/Statement of Principles); and**
- 3.8 That the Licensing Sub-Committee be exempted from the rules of committee proportionality as defined in the Local Government and Housing Act 1989 and supporting regulations.**
- 3.9 That the Director of Corporate Services be authorised to make the necessary amendments to the following Policy Framework documents in order to reflect the decisions made in 3.2-3.5 above:**
 - Investment and Regeneration Fund Strategy**
 - Housing Rental Company**
 - Corporate Asset Management Plan.**

Appendices

Appendix 1: Political Balance of Committees

Appendix 2: Political Balance of Working Parties

Appendix 3: Terms of Reference of Committees and Working Parties

Appendix 4: Outside Bodies and other groups (to follow)

Background Documents: None

Supporting Information

1. **Position and Background Information**

The election held on 2 May 2019 resulted in changes to the political composition of the Council. There are now 15 members of the Conservative Group, 13 members of the Liberal Democrat Group and 8 members of the Independent Group. The political balance is now:

Conservative Group	15 seats	= 41.67%
Liberal Democrat Group	13 seats	= 36.11%
Independent Group	8 seats	= 22.22%

Proportional distribution of seats on Committees is set out at Appendix 1.

Whilst not a legislative requirement, the Council has included in its Constitution for Working Parties to also be politically balanced. Proportional distribution of seats on Working Parties is set out at Appendix 2.

In respect of appointments to outside organisation and other groups, the Council has carried out an extensive review which has informed the appointments process for 2019. Appointments to outside bodies are made every four years (where possible) following the whole Council elections.

In order to ensure the Council uses its resources in an effective and efficient manner, it is proposed that Council appoints the Licensing Sub-Committee avoiding the necessity for a full Licensing Committee that would be convened solely to make this decision.

2. **How does this proposal support the ambitions, principles and delivery of the Corporate Plan?**

The calculation of political balance of committees is a statutory requirement and supports all aspects of the Corporate Plan through the good governance of the Council.

3. **How does this proposal contribute towards the Council's responsibilities as corporate parents?**

There is no direct contribution towards the Council's responsibilities as corporate parents. The legislation ensures that nominations to the seats on committees reflects the representation of different political groups on the Council.

<p>4.</p>	<p>How does this proposal tackle deprivation?</p> <p>As section 3 above.</p>
<p>5.</p>	<p>What are the financial and legal implications?</p> <p>Legal: The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political groups in accordance with the size of each group as a whole, unless alternative arrangements are notified to all Members and agreed without any councillor voting against them. The Council is required to observe the following principles as far as it is reasonably practicable:</p> <p>(a) that not all seats on the body are allocated to the same group;</p> <p>(b) that the majority of seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;</p> <p>(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</p> <p>(d) subject to paragraphs (a) to (c) above, that the number of 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.</p> <p>Given the results of the Local Election no group holds the majority of the Council's membership. Therefore, paragraph (b) no longer applies.</p> <p>The Council is required to determine the number of seats on each committee and the allocation of those seats to the political groups. Applying the principles of the Local Government and Housing Act 1989 and the supporting Regulations, the option for distribution would be proportional as set out at Appendix 1.</p> <p>The allocation of seats includes a statutory bar on members of the Cabinet on the Overview and Scrutiny Board and a Council decision to exclude members of the Cabinet from sitting on the Audit Committee.</p> <p>Political balance requirements may be dis-applied under Section 17, Local Government and Housing Act 1989 and Regulation 20, Local Government (Committees and Political Groups) Regulations 1990. This would allow the relevant seats to be allocated to another group. Any decision to dis-apply would require a unanimous vote of full Council.</p>

	<p>In respect of Working Parties, the Council's Constitution states that Working Parties considering non-executive functions will be appointed in accordance with the principles of political balance.</p> <p>Finance: None.</p>
6.	<p>What are the risks?</p> <p>There is a statutory requirement to undertake a review of political balance following a change in the political composition of the Council. This review has been completed. Therefore there are no risks unless members fail to determine the matter.</p>
7.	<p>Public Services Value (Social Value) Act 2012</p> <p>Not applicable.</p>
8.	<p>What consultation you have carried out?</p> <p>The Group Leaders have been consulted on the political balance calculations set out at Appendix 1 and Appendix 2.</p>