

<b>Committee(s):</b> Annual Council	<b>Date:</b> 18th May 2022
<b>Subject:</b> Political Groups of the Council	<b>Wards Affected:</b> All
<b>Report of:</b> Claire Mayhew, Corporate Manager (Democratic Services) & Deputy Monitoring Officer	<b>Public</b>
<b>Report Author:</b> Name: Claire Mayhew, Corporate Manager (Democratic Services) & Deputy Monitoring Officer Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	<b>For decision</b>

### **Summary**

The Constitution under Council Procedure Rule 2.1 (h) provides that the Chief Executive will report receipt of Notices served on him by Members under the provisions of the Local Government (Committees and Political Groups) Regulations 1990 to the Annual Meeting of the Council.

### **Recommendation(s)**

**Members are asked to:**

- R1. That Council notes the Notices of Political Groups served on the Chief Executive.**

### **Main Report**

#### **Introduction and Background**

1. A 'political group' is one which has been constituted in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 and consists of at least two Members. It is therefore separate from the concept of a political party (though it may well consist of members of the same political persuasion).
2. If the membership of a political group drops below two, the particular political group ceases to exist (Regulation 8(2)). A Member may cease to be a member of a particular political group if they are no longer a councillor (Reg.10). Members may apply to join an existing political group (Reg.9).

3. The reason why political groups are almost invariably formed is that where political balance is required as regards the seat allocation on council bodies then regard is to be had to political groups (not political parties).
4. The calculation of the proportionate allocation of seats subject to the political balance rules is based upon political groups and this is clearly significant as regards the control of power on those council bodies.
5. Notices relating to political groups (including changes as to the name of the group, its membership, the name of the Group Leader and the name of a Deputy Group Leader) are required to be in the prescribed written form and delivered to the proper officer of the Council.
6. Changes in political groups can therefore affect the calculation of the political balance on particular Council bodies.

#### **Issue, Options and Analysis of Options**

7. The Council must comply with The Local Government (Committees and Political Groups) Regulations 1990 as amended.

#### **Reasons for Recommendation**

8. To comply with The Local Government (Committees and Political Groups) Regulations 1990 as amended.

#### **Consultation**

9. Officers consulted with Members post the Borough Elections on 5th May 2022.

#### **References to Corporate Plan**

10. None.

## **Implications**

### **Financial Implications**

**Name/Title:** Jacqueline Van Mellaerts, Corporate Director (Finance & Resources)

**Tel/Email:** 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk

11. There are no direct financial implications.

### **Legal Implications**

**Name & Title:** Amanda Julian, Corporate Director (Law & Governance) and Monitoring Officer

**Tel & Email:** 01277 312705/amanda.julian@brentwood.gov.uk

12. The Council's Proper Officer has a statutory obligation to report the receipt of Notices served on him by members under the provisions of the Local Government (Committees and Political Groups Regulations 1990 ('the Regulations')). The members of an authority are to be treated as divided into different political groups when there is at least one political group in existence which has been constituted in accordance with prescribed requirements.

### **Economic Implications**

**Name/Title:** Phil Drane, Corporate Director (Planning and Economy)

**Tel/Email:** 01277 312610/philip.drane@brentwood.gov.uk

13. There are no direct economic implications.

### **Equality and Diversity Implications**

**Name/Title:** Kim Anderson, Corporate Manager - Communities, Leisure and Health

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14. Section 149 of the Equality Act requires the Council to have due regard to the Public Sector Equality Duty when making decisions, strategic planning and when implementing policies that may impact on those who have protected characteristics. Listed Authorities must comply with the requirements under the Equality Act 2010 (Specific Duties) Regulations 2011 (the Regulations), to publish equality data and list specific equality objectives. These Regulations apply to the Council.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

15. None.

**Background Papers** (include their location and identify whether any are exempt or protected by copyright)

16. Notices received, and duly minuted, at past Annual Council meetings are available on the Council's website.

**Appendices to this report**

17. None