

18 May 2016

Annual Council

Political Balance, Allocation of Committee Seats and Committee Appointments

Report of: *Steve Summers, Group Manager In-House Services*

Wards Affected: *All Wards*

This report is: *Public*

1. Executive Summary

1.1 The Council is required to:

- a) approve the allocation of seats on Committees
- b) receive the nominations from political groups to Committees
- c) by convention, appoint Chairs and Vice-Chairs of Committees

2. Recommendation(s)

2.1 That the allocation of seats as set out in Appendix A (to follow) be approved;

2.2 That the nominations from the political groups to Committees as set out in Appendix B (to follow) be approved;

2.3 That the Chairs and Vice-Chairs of Committees as set out in Appendix C (to follow) be appointed.

3. Introduction and Background

3.1 Political Groups on the Council are formed in accordance with the Local Government (Committees and Political Groups) Regulations 1990 as amended when two or more Councillors duly notify the Chief Executive as Proper Officer of their wish to be treated as a political group .

3.2 Section 15 of the Local Government and Housing Act 1989 places a duty on the Council to review the allocation of seats on Committees of the Council between the political groups.

- 3.3 The following statutory principles apply to the allocation of seats:
- a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
 - b) That the majority of seats on each committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - c) That subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
 - d) Subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
- 3.4 The Local Government and Housing Act 1989 requires that, once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.
- 3.5 Any non-aligned members are to be appointed to available seats on committees by the Council.

Political proportionality

- 3.6 The political balance of the Council is calculated using the formula below (to two decimal places):

$$\frac{\text{Number of Group Members} \times 100}{\text{Total Seats}}$$

37

- 3.7 The political balance of the Council will be set out in Appendix A after the Borough Elections on 5 May 2016.
- 3.8 To calculate political proportionality, the Council must have agreed the number of seats on each Committee and the total number of seats available on all Committees.
- 3.9 Councillors that are not members of political groups have no entitlement to an allocation of seats on Committees. Political groups are entitled to their proportion of seats and once their entitlement has been reached, the remaining seats may be filled by Councillors not belonging to a political group. Such Councillors are called 'non-aligned'.

3.10 The Local Government Association Independent Group state that non-aligned Councillors are entitled to fair representation. Political groups are not entitled to exceed their share and non-aligned Councillors (or single party Councillors) cannot be excluded. For example, in an authority of 37 Councillors with one non-aligned Councillor, the Council must make 1/37 of the places available as required in accordance with the Council's statutory duty under section 16(2A) of the Local Government and Housing Act 1989.

4. Issue, Options and Analysis of Options

4.1 The number of seats on Committees that will be allocated amongst the political groups represented on the Council is shown in Appendix A.

4.2 Each of the political groups are entitled to the specified number of seats in Appendix A. This is based on their percentage representation on the Council as a whole.

4.3 The calculation to determine the entitlement of political groups to seats on Committees is as follows:

$$\frac{\text{\% from table 1 (Appendix A)}}{100} \times \text{Number of Committee seats available}$$

4.4 The strict entitlement to seats is shown in Appendix A.

4.5 Each of the political groups are only entitled to their proportion of seats and once this entitlement has been reached, any remaining seats may then be filled by those Councillors not belonging to a political group. Councillors who are not members of a political group have no legal entitlement to an allocation of seats on a committee. However, in the spirit of the Act they should be given their fair representation.

4.6 Appendix A (to follow) shows a rounded allocation of seats to each political group. This is then manually adjusted to ensure that the number of seats allocated to a particular political group matches and does not exceed their entitlement.

4.7 Officers will seek nominations from Group Leaders to the places on committees to which their respective groups are entitled. Agreement from Group Leaders on the allocation of any additional seats will be sought.

- 4.8 The nominations of political groups to seats on committees and nominations for Chair and Vice Chair positions will be set out in Appendices B and C (to follow).

5. Reasons for Recommendation

- 5.1 The Council is required to make appointments to those Committees that have been established by Agenda Item 10 for the effective discharge of its functions.

6. Consultation

- 6.1 Group Leaders will be consulted post the Borough Election, 5 May 2016.

7. References to Corporate Plan

- 7.1 The delivery of the Corporate Plan will be enabled by the appointment of the Committees of the Council to discharge its functions.

8. Implications

Financial Implications

Name & Title: Christopher Leslie, Finance Director

Tel & Email: 01277 312542/christopher.leslie@brentwood.gov.uk

- 8.1 The cost of servicing committees will be met through existing budgets.

Legal Implications

Name & Title: Daniel Toohey, Monitoring Officer

Tel & Email: 01277 312860 /daniel.toohey@brentwood.gov.uk

- 8.2 As set out in the report.

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

- 8.3 None.

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

- 9.1 None.

10. Appendices to this report

Appendix A - *to follow*

Appendix B - *to follow*

Appendix C - *to follow*

Report Author Contact Details:

Name: Jean Sharp, Governance and Member Support Officer

Telephone: 01277 312655

E-mail: jean.sharp@brentwood.gov.uk