

<b>ANNUAL COUNCIL</b>	AGENDA ITEM No. 8
<b>22 MAY 2017</b>	PUBLIC REPORT

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## **POLITICAL BALANCE, ALLOCATION OF COMMITTEE SEATS**

<b>R E C O M M E N D A T I O N S</b>
<b>FROM : Director of Governance</b>
It is recommended that Council: <ul style="list-style-type: none"> <li>(a) Notes the number of seats on committees;</li> <li>(b) Agrees the allocation of seats on those committees subject to the political balance arrangements (<b>Appendix 1</b>); and</li> <li>(c) Agrees the allocation of seats on those committees not subject to political balance arrangements (<b>Appendix 2</b>).</li> </ul>

### **1. PURPOSE AND REASON FOR REPORT**

1.1 This report requests the Council to:

- (a) Confirm the number of seats on committees;
- (b) Approve the allocation of seats on committees in accordance with the statutory requirements concerning political balance; and

### **2. ALLOCATION OF SEATS TO POLITICAL GROUPS**

- 2.1 Section 15 of the Local Government and Housing Act 1989 imposes a duty on the City Council at its Annual meeting to review the allocation of seats on its committees between political groups. The section does not apply to the statutory Licensing Committee or Health and Wellbeing Board and so the political balance rules are not applied to these (**Appendix 2**).
- 2.2 Political Groups are allocated seats proportionate to their size, subject to the majority group being first given a majority of seats on the committees.

### **3. NUMBER OF SEATS ON COMMITTEES**

- 3.1 In order to allocate seats, the Council must first decide the total number of seats on each committee. For the purpose of calculating the entitlement of each political group to seats on committees, it is proposed that the following be included:

Committee	Seats
Growth, Environment and Resources Scrutiny Committee	11
Adults and Communities Scrutiny Committee	11
Health Scrutiny Committee	11
Children and Education Scrutiny Committee	11
Employment Committee	7
Licensing Committee (Regulatory)	11
Planning and Environmental Protection Committee	11
Appeals and Planning Review Committee	11
Corporate Parenting Committee	11
Audit Committee	7
<b>TOTAL</b>	<b>102</b>

#### 4. POLITICAL PROPORTIONALITY

4.1 Once it has decided the number and size of committees, Council needs to decide how many seats each group is to have on its committees. In accordance with the legislation, the following principles should apply to the allocation of seats as far as reasonably practicable:

- (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 the 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) Subject to (a) and (b) above, 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) above, that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.

4.2 The political balance of the Council can be calculated by using the following formula.

$$\frac{\text{No of Group Members} \times 100}{60}$$

4.3 Following the elections held on 5 May 2016, the political balance of the Council was as follows:

Table 1

Group	Conservative	Labour	Liberal Democrats	Liberal Party	Werrington First	UKIP	Total
Councillors	31	14	7	3	3	2	60
Proportionality %	51.67	23.33	11.67	5.00	5.00	3.33	100.00

4.4 Following the death of Councillor Sims, there is one vacancy, the political balance of the Council is now as follows:

Group	Conservative	Labour	Liberal Democrats	Liberal Party	Werrington First	UKIP	Vacancy	Total
Councillors	30	14	7	3	3	2	1	60
Proportionality %	50	23.33	11.67	5.00	5.00	3.33	1.67	100.00

4.5 The calculation to determine the strict entitlement of political groups to seats on committees is:

$$\frac{\% \text{ from table 1}}{100} \times \text{Total No of seats available (102) – see above}$$

## APPLYING THE RULES

4.6 The majority of seats on each committee has to be allocated to the political group that forms the majority of the authority's membership to comply with the second principle (paragraph 4.1(b)). Under the current structure there are committees of 7 members and 11 members. To ensure compliance with s15 of the Local Government and Housing Act 1989, the majority group has to be allocated:

- (a) 4 of the 7 seats for committees of 7
- (b) 6 of the 11 seats for committees of 11

4.7 Once the seats have been allocated to the majority group, the remainder will need to be shared out proportionately across the committees to ensure that the third principle (paragraph 4.1(c) above) is applied. The fourth principle is then applied to ensure that the seats then allocated are not unfairly weighted. A Group's seat on a Committee will be allocated automatically in terms of whole numbers.

4.8 The allocations of seats between the political groups for each committee are set out in **Appendix 1** based on a total of 102 seats (model including Audit and Appeals Planning Review Committees). This allocation as outlined is the current political make-up of all the Committee's concerned.

## 5. APPOINTMENTS EXEMPTED FROM POLITICAL BALANCE

5.1 Some Committees are automatically exempt from the internal political balance rules. These Committees are listed in the following paragraphs and summarised in **Appendix 2**.

5.2 **The Licensing Committee (Licensing Act 2003):** The City Council has a Licensing Committee, which is a separate statutory committee pursuant to Section 6 of the Licensing Act 2003. By law the committee must comprise no more than 15 and no less than 10 members. The Committee currently comprises of 10 members of the authority and are the same members as are appointed under the political balance rules to the Licensing Committee (Regulatory), which is an ordinary committee.

5.3 **The Health and Wellbeing Board:** The membership of the Health and Wellbeing Board is prescribed in section 194 of the 2012 Act. Whilst it is an 'ordinary committee', the legislation has removed the political balance requirements of this committee because this is seen as an executive arm of the Council as well as it being required to include voting members from other bodies and, a first for local government, officers of the Council. The 4 elected Members on the Board are to be as determined by the Board's Terms of Reference.

## 6. IMPLICATIONS

6.1 Financial Comments: There are no direct financial consequences.

6.2 Legal Comments: These are addressed in the report

## 7. APPENDICES

- 7.1 **Appendix 1** - Allocations of seats on Committees subject to political balance
- 7.2 **Appendix 2** - Allocation of Seats on Committees not subject to political balance arrangements
- 8. **BACKGROUND DOCUMENTS**
- 8.1 Peterborough City Council's Constitution.