

BABERGH DISTRICT COUNCIL

FROM: Head of Corporate Organisation

REPORT NUMBER

M188

TO: Council

DATE OF MEETING

9 April 2013

POLITICAL BALANCE OF COMMITTEES

1. PURPOSE OF REPORT

- 1.1 This report is predicated on the adoption of the proposals contained within the earlier report relating to recommendations for constitutional change. The Council is asked to formally review the proportional political allocation of places on committees and to adopt a scheme of proportionality for the Council year 2013/14.
- 1.2 Under the provisions of the Local Government and Housing Act 1989, a Local Authority is under a duty to review the allocation of seats to Political Groups at every annual meeting or as soon as practicable after a relevant change to structure or members. This report deals with the political balance of committees in time for members to organise the composition and membership of those committees at the Annual meeting of Council.

2. RECOMMENDATIONS

- 2.1 The Council is asked to formally review the proportional political allocation of places on committees and to adopt a scheme of proportionality for the Council year 2013/14.

3. FINANCIAL IMPLICATIONS

- 3.1 None.

4. RISK MANAGEMENT

- 4.1 This report is most closely linked with the Council's Significant Business Risk No. 1 – Political and Managerial Leadership. Key risks are set out below.

Risk Description	Likelihood	Impact	Mitigation Measures
Committees not politically balanced	Very low	Critical	Discussions already held with Group Leaders.

5. CONSULTATIONS

- 5.1 Consultations have been undertaken with Group Leaders.

6. **EQUALITY ANALYSIS**

6.1 Not relevant to this report.

7. **SHARED SERVICE/PARTNERSHIP IMPLICATIONS**

7.1 There are implications in relations to joint committees were the balance between Councils and political groups is fundamental to the partnership arrangements.

8. **KEY INFORMATION**

8.1 Under the provisions of the Local Government and Housing Act 1989 where a local authority is grouped for Committee composition purposes, the Authority is required to make arrangements to ensure that its Committees share the same political balance as the full Council.

8.2 The Act provides for the allocation of seats to constituted political groups. Members who are not grouped are not entitled to the allocation of any seats on committees. The Local Government (Committees and Political Groups) Regulations 1990 provide a constituted political group to be two or more members.

8.3 The Local Government and Housing Act 1989 requires authorities when allocating to different political groups to follow the following principles:

- (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.

8.4 Whilst the 1989 Act does not allow allocation to non grouped members it is possible to adopt a scheme of proportionality which includes all members including those that are not grouped if and only if no single member of Council votes against such a scheme. Consequently two versions of a scheme of proportionality have been prepared, the first is politically balanced in accordance with the 1989 Act with no allocation of seats to ungrouped members. The second version includes all members but would require no single member to vote against it before it can be adopted.

8.5. In order to meet the proportionality rules there is another key difference between version 1 and 2. If version 1 was adopted the Planning Committee would need to have 14 seats in order to avoid the arbitrary allocation of one seat to a political group and the Regulatory Committee would need to have 10 seats, if version 2 is adopted the Planning Committee would need to have 15 seats and the Regulatory Committee 11 seats in order to avoid penalising any political group.

VERSION 1 compliant with the Local Government and Housing Act 1989

	Cons 17 members	Lib Dem 12 members	Indep 9 members	Labour 3 members	Other 1 member	Vacancy 1 member	43
Strategy 10	4	3	2	1			10
Planning Committee 14	6	4	3	1			14
**Regulatory Committee 10	4	3	2	1			10
Joint Scrutiny Committee 8	3	2	2	1			8
Joint Audit and Standards Committee 8	3	2	2	1			8
Joint Appointments committee 3	1	1	1				3
53	21	15	12	5			53

8.6 The calculation provides for 53 Committee seats to the various groups as follows:-

Conservative - 21 seats
 Liberal Democrat - 15 seats
 Independent - 12 seats
 Labour - 5

8.7 VERSION 2 showing allocation to all members of Council

	Cons 17 members	Lib Dem 12 members	Indep 9 members	Labour 3 members	Other 1 member	Vacancy 1 member	43
Strategy 10	4	3	2	1			10
Planning Committee 15			3	1	1		15
Regulatory committee 11	4	3	2	1		1	11
Joint Scrutiny Committee 8	3	2	2	1			8
Joint Audit and Standards Committee 8	3	2	2	1			8
Joint Appointments committee 3	1	1	1				3
55	21	15	12	5	1	1	55

8.8 The calculation provides for 55 Committee seats to the various groups as follows:-

Conservative	-	21 seats
Liberal Democrat	-	15 seats
Independent	-	12 seats
Labour	-	5 seats
Other	-	1 seat
Vacancy	-	1 seat

9. **BACKGROUND DOCUMENTS**

None.

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