



Council 18 December 2012

Review of Political Balance and Re-appointment to Politically Balanced Bodies

1. Background

1.1 Following a by-election, the political balance of the Council has changed, with the replacement of a Conservative Member with a Green Member. Additionally, one Member is currently suspended from the Conservative Group.

1.2 Neither of these changes triggers a review of the Council's political balance on committees. Apart from the review of political balance at Annual Council each year, reviews are only to be carried out at such other times as prescribed in the Local Government and Housing Act 1989. These are when written notice is given:

- (a) that a new political group has been formed; or
- (b) that a member wishes to join an existing political group, and that group requests a review of the Council's political balance,

neither of which has occurred. However, several Councillors have requested that such a re-calculation occur, and Council is therefore asked whether it wishes the re-calculation outlined below to take effect.

2. Political Composition

2.1 The political composition of the Council is now as indicated in the following table:

	CON	IND	LAB	IND	IND	GREEN
Members	36	3	3	1	1	1
Expressed as %	80.00%	6.67%	6.67%	2.22%	2.22%	2.22%

2.2 The Council will need to formally approve the formula for the allocation of seats to the political groups on those Committees which are required by law to be politically balanced.

2.3 The obligation to ensure that there is proportionality in the political composition of the Council's committees extends only to proportionate representation of members of political parties, and does not require

independent members to be proportionally represented. Seats therefore need to be allocated only to groups.

2.4 In carrying out any review the Council is obliged to adopt the following principles and to give effect to them 'so far as is reasonably practicable':

- (a) That not all seats on the Council are allocated to the same political group;
- (b) That the majority of the seats on the Council 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 paragraphs (a) and (b) above, that the number of seats on the ordinary committees of the Council which are allocated to each political group, have 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 Council which are allocated to each group have the same proportion to the number of all the seats on that Council as is borne by the number of members of that group to the membership of the Council.

3. Officer Appointments Committee

3.1 The purpose of the Officer Appointments Committee is to deal with the appointment, discipline and termination of employment of chief officers (ie Corporate Directors and the Chief Executive). These posts are now jointly appointed with Forest Heath District Council, and therefore any of these responsibilities would be carried out by the Joint Officer Appointments Committee, as was the case with the recent appointment of corporate directors. It is therefore proposed that the Officer Appointments Committee is no longer needed, and should be disbanded. As a joint committee appointed by full Council to which more than three Members are appointed, the Joint Officer Appointments Committee must be included in the political balance calculations.

4. Entitlement to Places

4.1 The table below shows the exact entitlement to places by the three formally constituted groups:

Seats Available	Committee	CON-SERVATIVE		INDEPENDENT GROUP		LABOUR	
		Exact Fig	Actual Places	Exact Fig	Actual Places	Exact Fig	Actual Places
16	Development Control *	12.80	13	1.07	1	1.07	1
13	Licensing & Regulatory *	10.40	10	0.87	1	0.87	1
16	Overview & Scrutiny *	12.80	13	1.07	1	1.07	1
10	Performance & Audit Scrutiny	8.00	8	0.67	1	0.67	1
7	Staffing Appeals *	5.60	6	0.47	-	0.47	-
3	Joint Officer Appts *	2.40	2	0.20	-	0.20	-
Total 65		52		plus	4	plus	4
Exact overall entitlement based on the overall percentage on full Council (2.1)		52.0		4.34		4.34	

4.2 The table above allocates 60 of the 65 places available, with those five committees marked with a * requiring an extra member to be nominated. The table also allocates the correct number of places to each Group. Three of the five unallocated places should be allocated to the three non-group Councillors. The remaining two unallocated places may be allocated following negotiation between Group Leaders.

4.3 This allocation of committee places does not exactly fit 2.4 (c) and (d) above, but to do so would require re-calculation based on various different numbers of committee places until one was found with a closer fit, although an exact fit is unlikely to be possible. The allocations above, assuming one seat each per non-group Member, produce the following allocations of percentage of seats:

	CON GP	IND GP	LAB GP	IND	IND	GREEN
Members	36	3	3	1	1	1
% seats on Council	80.00%	6.67%	6.67%	2.22%	2.22%	2.22%
% seats on committees based on above calcs	80.00%	6.15%	6.15%	1.54%	1.54%	1.54%

4.4 There are two more seats to be allocated, and allocation of these to any of the groups/individuals above will of course change these percentages. However, it is suggested that, in order to best meet the

requirements of Section 2.4 above, these two places should be allocated to the Conservative group, making their percentage of seats 83.08%. To allocate to a smaller group or an individual would produce a greater anomaly in the balance of percentages (6.15% would increase to 7.69%, and 1.54% would increase to 3.08%).

- 4.5 Allocating the two additional seats to the Conservative Group would mean that group receives 104% of its entitlement. To allocate an additional seat to either of the smaller groups would give them 125% of their entitlement, and to allocate an additional seat to any of the non-group Members would give them 139% of their entitlement, hence the allocation of both seats to the Conservative Group most closely meeting the requirements of Section 2.4.

5. Democratic Renewal Working Party

- 5.1 The Democratic Renewal Working Party is not required to be politically balanced but the allocation of seats is, by custom and practice, undertaken on this basis. The allocation of seats according to the formula is as follows:
- 5.2 As under the existing calculation, Council will need to allocate a place on the Democratic Renewal Working Party to a non-Conservative Member.

		CONSERVATIVE		INDEPENDENT GROUP		LABOUR	
Seats Available	Committee	Exact Fig	Actual Places	Exact Fig	Actual Places	Exact Fig	Actual Places
7	Democratic Renewal Working Party	5.6	6	0.47	-	0.47	-

6. Standards Committee

- 6.1 St Edmundsbury Borough Council and Forest Heath District Council are working towards the creation of a joint Standards Committee. In the meantime, the three Members currently appointed to St Edmundsbury's Committee (one Conservative, one Labour and one Independent), which does not need to be politically balanced, will continue.

7. Mayoral Advisory Committee

- 7.1 The Council's Constitution states that the Mayoral Advisory Committee shall comprise seven Members of the Authority appointed annually by the Head of Legal and Democratic Services in accordance with the nominations of Group Leaders. The composition of the Committee shall reflect the political group representation on the Council. The Committee should, therefore, as per the current composition, comprise six Conservative Members and one non-Conservative Member. The allocation of seats according to the formula is as follows:

Seats Available	Committee	CON-SERVATIVE		INDEPENDENT GROUP		LABOUR	
		Exact Fig	Actual Places	Exact Fig	Actual Places	Exact Fig	Actual Places
7	Mayoral Advisory Committee	5.6	6	0.47	-	0.47	-

7.2 Council will therefore need to allocate a place on the Mayoral Advisory Committee to a non-Conservative Member.

8. Treasury Management Sub-Committee

8.1 The Treasury Management Sub-Committee is a sub-committee of the Overview and Scrutiny Committee and the composition of the Sub-Committee shall reflect the political group representation on the Council. The Sub-Committee should, therefore, as per the current composition, comprise 2 Conservative Members and one non-Conservative Member. The allocation of seats according to the formula is as follows: -

Seats Available	Committee	CON-SERVATIVE		INDEPENDENT GROUP		LABOUR	
		Exact Fig	Actual Places	Exact Fig	Actual Places	Exact Fig	Actual Places
3	Treasury Management Sub-Committee	2.4	3	0.20	-	0.20	-

9. Recommendations

9.1 It is **RECOMMENDED**: That

- (1) the formula for the allocation of seats to the political groups on those Committees which are required by law to be politically balanced, as set out in paragraph 2.1 of Report D229, be approved;
- (2) the allocation of seats on the Committees of the political groups of the Borough Council as indicated in Section 4 of Report D229 be approved;
- (3) the allocation of seats on the Democratic Renewal Working Party of the political groups of the Borough Council, as indicated in Section 5 of Report D229 be approved;
- (4) the current membership of the Standards Committee continue until such time as recommendations for a joint committee are brought to Council;

- (5) the allocation of seats on the Mayoral Advisory Committee as indicated in Section 7 of Report D229 be approved;
- (6) the allocation of seats on the Treasury Management Sub-Committee as indicated in Section 8 of Report D229 be approved;
- (7) the Officer Appointments Committee be disbanded, as its remit is now covered by the Joint Officer Appointments Committee; and
- (8) the Head of Legal and Democratic Services be given delegated authority to appoint Members and substitute Members of those bodies (2), (3), (5) and (6) above on the basis of nominations from the relevant Group Leaders.

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