



Council 15 May 2014

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

1. Summary and reasons for recommendation(s)

- 1.1 The Council is required by the Constitution to review the political balance and allocation of seats to committees each year at the Annual Meeting in May.
- 1.2 Recommendations are contained within appropriate Sections of this report and further summarised in Section 2 below.
- 1.3 An overarching review of the Council's democratic processes is also currently being undertaken, which aims to further simplify and align the decision making structures of St Edmundsbury Borough Council (SEBC) and Forest Heath District Council (FHDC), where appropriate, over the longer term. This wider review is looking at options for streamlining the operation and decision making processes across both authorities and investigating opportunities for enabling more joint scrutiny/decision making where possible.

2. Recommendation(s)

2.1 Recommendations

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 4.1.1 of Report F1, be approved;
- (2) the allocation of seats on the Committees which are required by law to be politically balanced of the political groups and non-grouped Members of the Council, as indicated in Appendix 1 to Report F1, be reviewed by the Council and amended if required, whilst maintaining the political balance requirements and entitlements to seats set out in Section 4.1 of Report F1;
- (3) the allocation of seats on the Joint Standards Committee, as indicated in Section 4.2.2 of Report F1, be reviewed by the Council and amended if required. This Committee is not required to be politically balanced;

- (4) the allocation of seats on the Democratic Renewal Working Party, as indicated in Section 4.2.3 of Report F1, be reviewed by the Council and amended if required, whilst maintaining the political balance requirement;
- (5) the Head of Legal and Democratic Services be given delegated authority to appoint Members and substitute Members to those bodies set out in recommendations (2), (3) and (4) above on the basis of nominations from the relevant Group Leaders.

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3. Strategic priorities

3.1 The recommendations meet the following, as contained within the West Suffolk Strategic Plan:

- (a) Strategic priority 1 : *'Increased opportunities for economic growth'*
 (b) Strategic priority 2: *'Resilient families and communities that are healthy and active'*; and
 (c) Strategic priority 3: *'Homes for our communities'*

4. Key issues

4.1 Political Composition

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

	No of members	%
Conservative	35	77.78%
Independent Group	3	6.67%
Labour	3	6.67%
UKIP (GC)	1	2.22%
Independent (PH)	1	2.22%
Green (JW)	1	2.22%
UKIP (AB)	1	2.22%
TOTAL	45	100.00%

4.1.2 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.

- 4.1.3 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 groups, and does not require non-grouped members to be proportionally represented. Seats therefore need to be allocated only to groups.
- 4.1.4 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.

4.2 Entitlement to Places

- 4.2.1 The table at Appendix 1 shows those committees and working parties that are required to be politically balanced. It gives the exact entitlement to places and the places **currently** held by each group and any non-group members. It also indicates where there is a difference between the entitled places and the current places allocated (shaded cells); these are also summarised below.
- (a) Development Control Committee (16 seats) – Conservatives are entitled to 12.44 (rounded down to 12) seats and are currently allocated 13 seats. Councillor Ms Wakelam (Green Party) is not entitled to any seat but is currently allocated a seat.
 - (b) Licensing and Regulatory Committee (13 seats) – Conservatives are entitled to 10.11 (rounded down to 10) seats and are currently allocated 11 seats.
 - (c) Overview & Scrutiny Committee (16 seats) – Conservatives are entitled to 12.44 (rounded down to 12) seats and are currently allocated 13 seats. Councillor P Hopfensperger (Independent) is not entitled to any seat but is currently allocated a seat.
 - (d) Performance & Audit Scrutiny Committee (10 seats) – Conservatives are entitled to 7.78 (rounded up to 8) seats and are currently allocated 7 seats. Councillor Cox (UKIP) is not entitled to any seats but is currently allocated a seat.

- (e) Joint Officer Appointments Committee (3 seats) – Conservatives are entitled to 2.33 (rounded down to 2) seats and are currently allocated 3 seats.
- (f) Mayoral Advisory Committee (7 seats) – Conservatives are entitled to 5.44 (rounded down to 5) seats and are currently allocated 6 seats. The Independent Group and Labour Group are entitled to 0.47 of a seat each (rounded down to 0) but only the Independent Group are currently allocated 1 seat.
- (g) Treasury Management Sub-Committee (3 seats) – The Independent Group are not entitled to any seats but are currently allocated 1 seat.

4.2.2 Joint Standards Committee (3 seats) – Council approved on 26 February 2013 that arrangements for appointments to the Joint Standards Committee be made without compliance with the political balance requirements in Sections 15 and 16 of the Local Government and Housing Act 1989. The current allocation of seats is one seat each to Conservatives, Independent Group and Labour.

4.2.3 Democratic Renewal Working Party - 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 table below gives the exact entitlement to places and the places **currently** held by each group and any non-group members.

Conservatives are entitled to 5.44 (rounded down to 5) seats and are currently allocated 6 seats. The Independent Group and Labour Group are entitled to 0.47 of a seat each (rounded down to 0) but only the Independent Group are currently allocated 1 seat.

Committee	Democratic Renewal WP		
No of seats	7		
	Entitled Places (exact)	Entitled Places (rounded)	Current Places
Conservative	5.44	5	6
Independent Group	0.47	0	1
Labour	0.47	0	0
UKIP (GC)	0.16	0	0
Independent (PH)	0.16	0	0
Green (JW)	0.16	0	0
UKIP (AB)	0.16	0	0
TOTAL	7	5	7

*Shaded cells shows where there is a difference between Entitled Places and Current Places

4.2.3 Non-grouped members - Although non-grouped members are not required to be proportionally represented, where a group is entitled to less than 0.5 of a place, group leaders may wish to consider whether to give a seat to a non-group member.

5. Other options considered

5.1 The Council is required by the Constitution to review the political balance and allocation of seats to committees each year at the Annual Meeting in May.

6. Community impact

6.1 **Crime and disorder impact** (including Section 17 of the Crime and Disorder Act 1998)

6.1.1 Not applicable.

6.2 **Diversity and equality impact** (including the findings of the Equality Impact Assessment)

6.2.1 Not applicable.

6.3 **Sustainability impact** (including completing a Sustainability Impact Assessment)

6.3.1 Not applicable.

6.4 **Other impact** (any other impacts affecting this report)

6.4.1 None.

7. **Consultation** (what consultation has been undertaken, and what were the outcomes?)

7.1 None.

8. **Financial and resource implications** (including asset management implications)

8.1 The review has been undertaken within existing resources. Any changes required as a result of the review will also be borne from existing budgets.

9. **Risk/opportunity assessment** (potential hazards or opportunities affecting corporate, service or project objectives)

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Opportunities for joint working are missed		Consider the creation of joint panels and working parties wherever possible.	Low
Duplication of effort between member bodies		Carry out an annual review of working parties, etc to ensure that they are all still relevant and adding value and do not cross over with the activities or other bodies e.g. scrutiny committees or task and finish groups	Low
The number of meetings and reviews cannot be accommodated with available member and officer time and resources	High	Carry out an annual review to disband any groups no longer required, and to optimise frequency of meetings. Keep under constant review.	Medium

10. **Legal and policy implications**

10.1 The Local Government and Housing Act 1989 states that the authority has a duty to review the representation of different political groups at, or as soon as practicable, after the annual meeting.

11. Wards affected

11.1 All

12. Background papers

12.1 None.

13. Documents attached

13.1 Appendix 1.

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Political balance calculations

The following committees are, by law, required to be politically balanced.

Committee	Development Control			Licensing & Regulatory			Overview & Scrutiny			Performance & Audit Scrutiny			Joint Officer Appointment			Joint Staffing Appeals			Mayoral Advisory			Treasury Management			
	16			13			16			10			3			3			7			3			
No of seats	Entitled Places (exact)	Entitled Places (rounded)	Current Places	Entitled Places (exact)	Entitled Places (rounded)	Current Places	Entitled Places (exact)	Entitled Places (rounded)	Current Places	Entitled Places (exact)	Entitled Places (rounded)	Current Places	Entitled Places (exact)	Entitled Places (rounded)	Current Places	Entitled Places (exact)	Entitled Places (rounded)	Current Places	Entitled Places (exact)	Entitled Places (rounded)	Current Places	Entitled Places (exact)	Entitled Places (rounded)	Current Places	
Conservative	12.44	12	13	10.11	10	11	12.44	12	13	7.78	8	7	2.33	2	3	2.33	2	0	5.44	5	6	2.33	2	2	2
Independent Group	1.07	1	1	0.87	1	1	1.07	1	1	0.67	1	1	0.20	0	0	0.20	0	0	0.47	0	1	0.20	0	0	1
Labour	1.07	1	1	0.87	1	1	1.07	1	1	0.67	1	1	0.20	0	0	0.20	0	0	0.47	0	0	0.20	0	0	0
UKIP (GC)	0.36	0	0	0.29	0	0	0.36	0	0	0.22	0	1	0.07	0	0	0.07	0	0	0.16	0	0	0.07	0	0	0
Independent (PH)	0.36	0	0	0.29	0	0	0.36	0	1	0.22	0	0	0.07	0	0	0.07	0	0	0.16	0	0	0.07	0	0	0
Green (JW)	0.36	0	1	0.29	0	0	0.36	0	0	0.22	0	0	0.07	0	0	0.07	0	0	0.16	0	0	0.07	0	0	0
UKIP (AB)	0.36	0	0	0.29	0	0	0.36	0	0	0.22	0	0	0.07	0	0	0.07	0	0	0.16	0	0	0.07	0	0	0
TOTAL	16	14	16	13	12	13	16	14	16	10	10	10	3	2	3	3	2	0	7	5	7	3	2	2	3

*Shaded cells show where there is a difference between Entitled Places and Current Places

Appendix 1

