



TO: **ALL MEMBERS OF THE COUNCIL**  
**(Copy to recipients of Council Papers)**

**Our reference** CS  
**Your reference** N/A  
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12 October 2017

Dear Councillor

**ST EDMUNDSBURY EXTRAORDINARY COUNCIL - TUESDAY 17 OCTOBER 2017**

I am now able to enclose, for consideration at next Tuesday's extraordinary meeting of St Edmundsbury's Council, the following reports that were unavailable when the agenda was printed.

- | <b>Agenda No</b> | <b>Item</b>  |
|------------------|--|
| 7.               | <b><u>Review of Political Balance and Appointment to Politically Balanced Bodies (Pages 1 - 10)</u></b><br><br>Report No: <b>COU/SE/17/018</b>   |
| 10.              | <b><u>Exempt Appendix: Referrals Report of Recommendations from Cabinet: Investing in our Commercial Asset Portfolio (para 3) (Pages 11 - 22)</u></b><br><br>Exempt Appendix 1 to Report No: <b>COU/SE/17/015</b><br>(attaching Exempt Cabinet Report No: CAB/SE/17/057 in its entirety) |

Yours sincerely

Claire Skoyles  
Democratic Services Officer  
Human Resources, Legal and Democratic Services

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# Extraordinary Council



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Review of Political Balance and Appointment to Politically Balanced Bodies</b>	
<b>Report No:</b>	<b>COU/SE/17/018</b>	
<b>Report to and date:</b>	<b>Extraordinary Council</b>	17 October 2017
<b>Portfolio holder:</b>	John Griffiths Leader of the Council <b>Tel:</b> 07958 700434 <b>Email:</b> john.griffiths@stedsbc.gov.uk	
<b>Lead officers:</b>	Karen Points Assistant Director (Human Resources, Legal and Democratic Services) <b>Tel:</b> 01284 757015 <b>Email:</b> karen.points@westsuffolk.gov.uk	
	Leah Mickleborough Service Manager (Democratic Services) and Monitoring Officer <b>Tel:</b> 01284 757162 <b>Email:</b> leah.mickleborough@westsuffolk.gov.uk	
<b>Purpose of report:</b>	<p>By-elections for two vacancies on St Edmundsbury Borough Council (Chedburgh and Hundon Wards) took place on 28 September 2017. These seats were filled by Members of the Conservative Group.</p> <p>In addition, the Council has received written notice under the requirements of the Local Government (Committees and Political Groups Regulations 1990) confirming that Councillor John Burns has resigned as leader, and as a member of, St Edmundsbury Borough Council's UK Independence Party (UKIP) Group and is now an Independent Borough Councillor. Subsequent to this, Councillor Burns and Councillor Tony Brown have constituted a new political group, the 'Haverhill Indys', and Councillor Burns is the leader of that Group.</p> <p>Accordingly, this has altered the political composition of the Borough Council and Council is, therefore, requested to review the allocation of seats and</p>	

	substitutes to political groups in accordance with the political balance rules.
<b>Recommendations:</b>	<p><b>It is <u>RECOMMENDED</u> that:</b></p> <p>(1) <b>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 1.1.1, be approved;</b></p> <p>(2) <b>the allocation of seats (and seats for substitute Members) on the Committees which are required by law to be politically balanced, as indicated in Appendices 1 and 2 to Report No: COU/SE/17/018, be approved;</b></p> <p>(3) <b>the allocation of full member and substitute seats on the West Suffolk Joint Standards Committee, as indicated in Section 1.2.2, be approved. This Committee is not required to be politically balanced;</b></p> <p>(4) <b>whilst the Democratic Renewal Working Party is not required to be politically balanced, the allocation of seats is by custom and practice, undertaken on this basis. Therefore, the allocation of full member and substitute seats to this Working Party, as indicated in Section 1.2.3, be approved; and</b></p> <p>(5) <b>the Service Manager (Democratic Services) be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, 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.</b></p>
<b>Key Decision:</b>  <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>• None</li> </ul>
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>• None, as the matters under consideration are required by law and the Constitution.</li> </ul>
<b>Implications:</b>	

Are there any <b>financial</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> <li>The review has been undertaken within existing resources. Any changes required as a result of the review will also be borne from existing budgets.</li> </ul>
Are there any <b>staffing</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> <li>As above.</li> </ul>
Are there any <b>ICT</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> <li></li> </ul>
Are there any <b>legal and/or policy</b> implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 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 a change occurs in Group composition.
Are there any <b>equality</b> implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> <li></li> </ul>
<b>Risk/opportunity assessment:</b>	Not applicable as a review is required by law to be undertaken.
<b>Wards affected:</b>	All Wards
<b>Background papers:</b>	None
<b>Documents attached:</b>	<b>Appendix 1:</b> Committees required to be politically balanced and place entitlement /allocation  <b>Appendix 2:</b> No. of substitutes required for each committee and place entitlement/allocation.

# 1. Key issues and reasons for recommendations

## 1.1 Political Composition

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

<b>GROUP</b>	<b>No of members</b>	<b>%</b>
<b>Conservative</b>	34	75.56%
<b>Charter (DN, RC, DH, JW)</b>	4	8.89%
<b>United Kingdom Independence Party (UKIP)</b>	3	6.67%
<b>Haverhill Indys (JB, TBr)</b>	2	4.44%
<b>Independent (TBe) Non-Group</b>	1	2.22%
<b>Independent (PH) Non-Group</b>	1	2.22%
<b>TOTAL</b>	<b>45</b>	<b>100.00%</b>

1.1.2 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.

1.1.3 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. A 'group' may comprise two or members.

1.1.4 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.

## 1.2 **Entitlement to Places**

1.2.1 The table at Appendix 1 and summarised below, shows those Committees that are required to be politically balanced and provides the exact entitlement to places of each group.

- (a) Development Control (16 seats);
- (b) Licensing and Regulatory (13 seats);
- (c) Overview and Scrutiny (16 seats);
- (d) Performance and Audit Scrutiny (10 seats);
- (e) Joint Officer Appointments (3 seats);
- (f) Joint Officer Appeals (3 seats);
- (g) Mayoral Advisory (7 seats); and
- (h) Treasury Management (3 seats).

1.2.2 West Suffolk Joint Standards Committee (3 seats) – Council approved on 26 February 2013 that arrangements for appointments to the West Suffolk 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. Group Leaders have provisionally agreed that the allocation of full member seats is to be one Conservative Group, one Haverhill Indys Group and one Charter Group, with the substitute seat\* being allocated to the Conservative Group.

\*The Terms of Reference for this joint committee determine that only one substitute member from each authority should be appointed.

1.2.3 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 allocated places.

<b>Committee</b>	<b>Democratic Renewal WP</b>		
	<b>7 full Members</b>		<b>4 Substitutes</b>
<b>No of seats</b>			
<b>GROUP</b>	<b>Entitled Places (exact)</b>	<b>Allocated Places</b>	<b>Allocated Places</b>
<b>Conservative</b>	5.29	5	2
<b>Charter (DN, RC, DH, JW)</b>	0.62	1	1
<b>UKIP</b>	0.47	0	0
<b>Haverhill Indys (JB,TBr)</b>	0.31	1	1
<b>Independent (TBe) Non-Group</b>	0.16	0	0
<b>Independent (PH) Non-Group</b>	0.16	0	0
<b>TOTAL</b>	<b>7</b>	<b>7</b>	<b>4</b>

- 1.2.4 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.
- 1.2.5 Appendix 2 attached shows the entitlement and proposed allocation of substitutes on the politically balanced committees. It is suggested that the Council gives precedence to ensuring that each Group should have a substitute if they are represented on a committee, and, once this is achieved, if there are additional substitute places on a committee they are distributed by political balance, as indicated (and as shown for the Democratic Renewal Working Party in 1.2.3 above).
- 1.2.6 Council is asked to allocate seats and substitutes to political groups in accordance with the political balance rules and re-appoint the existing membership or appoint new membership as applicable, to those Committees and Working Party via delegated authority.



**APPENDIX 1**

		<b>Conservative Group</b>			<b>Charter Group (DN, DH, RC, JW)</b>			<b>UK Independence Party Group</b>			<b>Haverhill Indys (JB, TBr)</b>			<b>Independent (TBe)</b>			<b>Independent (PH)</b>			<b>TOTAL</b>
Members		<b>34</b>			<b>4</b>			<b>3</b>			<b>2</b>			<b>1</b>			<b>1</b>			<b>45</b>
Expressed as %		<b>75.56%</b>			<b>8.89%</b>			<b>6.67%</b>			<b>4.44%</b>			<b>2.22%</b>			<b>2.22%</b>			<b>100%</b>
<b>Committee</b>	<b>No of seats</b>	Entitled places (exact)	Entitled places (rounded)	<b>Allocated places</b>	Entitled places (exact)	Entitled places (rounded)	<b>Allocated places</b>	Entitled places (exact)	Entitled places (rounded)	<b>Allocated places</b>	Entitled places (exact)	Entitled places (rounded)	<b>Allocated places</b>	Entitled places (exact)	Entitled places (rounded)	<b>Allocated places</b>	Entitled places (exact)	Entitled places (rounded)	<b>Allocated places</b>	
Development Control	16	12.09	12	<b>12</b>	1.42	1	<b>2</b>	1.07	1	<b>1</b>	0.71	1	<b>1</b>	0.36	0	<b>0</b>	0.36	0	<b>0</b>	<b>16</b>
Licensing & Regulatory	13	9.82	10	<b>10</b>	1.16	1	<b>1</b>	0.87	1	<b>1</b>	0.58	1	<b>1</b>	0.29	0	<b>0</b>	0.29	0	<b>0</b>	<b>13</b>
Overview & Scrutiny	16	12.09	12	<b>12</b>	1.42	1	<b>1</b>	1.07	1	<b>1</b>	0.71	1	<b>1</b>	0.36	0	<b>0</b>	0.36	0	<b>1</b>	<b>16</b>
Performance & Audit Scrutiny	10	7.56	8	<b>9</b>	0.89	1	<b>0</b>	0.67	1	<b>1</b>	0.44	0	<b>0</b>	0.22	0	<b>0</b>	0.22	0	<b>0</b>	<b>10</b>
Joint Officer Appointments	3	2.27	2	<b>3</b>	0.27	0	<b>0</b>	0.20	0	<b>0</b>	0.13	0	<b>0</b>	0.07	0	<b>0</b>	0.07	0	<b>0</b>	<b>3</b>
Joint Officer Appeals	3	2.27	2	<b>2</b>	0.27	0	<b>1</b>	0.20	0	<b>0</b>	0.13	0	<b>0</b>	0.07	0	<b>0</b>	0.07	0	<b>0</b>	<b>3</b>
Mayoral Advisory	7	5.29	5	<b>5</b>	0.62	1	<b>1</b>	0.47	0	<b>1</b>	0.31	0	<b>0</b>	0.16	0	<b>0</b>	0.16	0	<b>0</b>	<b>7</b>
Treasury Management	3	2.27	2	<b>3</b>	0.27	0	<b>0</b>	0.20	0	<b>0</b>	0.13	0	<b>0</b>	0.07	0	<b>0</b>	0.07	0	<b>0</b>	<b>3</b>
<b>TOTAL</b>	<b>71</b>	<b>53.66</b>	<b>54</b>	<b>56</b>	<b>6.32</b>	<b>6</b>	<b>6</b>	<b>4.75</b>	<b>5</b>	<b>5</b>	<b>3.14</b>	<b>3</b>	<b>3</b>	<b>1.6</b>	<b>0</b>	<b>0</b>	<b>1.6</b>	<b>0</b>	<b>1</b>	<b>71</b>

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## SEATS ALLOCATED TO SUBSTITUTES

## APPENDIX 2

		Conservative Group			Charter Group (DN, DH, RC, JW)			UK Independence Party Group			Haverhill Indys (JB, TBr)			Independent (TBe)			Independent (PH)			TOTAL
Members		34			4			3			2			1			1			45
Expressed as %		75.56%			8.89%			6.67%			4.44%			2.22%			2.22%			100%
Committee	No of sub seats	Entitled places (exact)	Entitled places (rounded)	Allocated places	Entitled places (exact)	Entitled places (rounded)	Allocated places	Entitled places (exact)	Entitled places (rounded)	Allocated places	Entitled places (exact)	Entitled places (rounded)	Allocated places	Entitled places (exact)	Entitled places (rounded)	Allocated places	Entitled places (exact)	Entitled places (rounded)	Allocated places	
Development Control	8	6.04	6	5	0.71	1	1	0.53	1	1	0.36	0	1	0.18	0	0	0.18	0	0	8
Licensing & Regulatory	6	4.53	5	3	0.53	1	1	0.40	0	1	0.27	0	1	0.13	0	0	0.13	0	0	6
Overview & Scrutiny	8	6.04	6	5	0.71	1	1	0.53	1	1	0.36	0	1	0.18	0	0	0.18	0	0	8
Performance & Audit Scrutiny	4	3.02	3	3	0.36	0	0	0.27	0	1	0.18	0	0	0.09	0	0	0.09	0	0	4
Joint Officer Appointments	1*	0.76	1	1	0.09	0	0	0.07	0	0	0.04	0	0	0.02	0	0	0.02	0	0	1
Joint Officer Appeals	1*	0.76	1	1	0.09	0	0	0.07	0	0	0.04	0	0	0.02	0	0	0.02	0	0	1
Mayoral Advisory	4	3.02	3	2	0.36	0	1	0.27	0	1	0.18	0	0	0.09	0	0	0.09	0	0	4
Treasury Management	1*	0.76	1	1	0.09	0	0	0.07	0	0	0.04	0	0	0.02	0	0	0.02	0	0	1
<b>TOTAL</b>	<b>33</b>	<b>24.93</b>	<b>25</b>	<b>21</b>	<b>2.94</b>	<b>3</b>	<b>4</b>	<b>2.21</b>	<b>2</b>	<b>5</b>	<b>1.47</b>	<b>1</b>	<b>3</b>	<b>0.73</b>	<b>0</b>	<b>0</b>	<b>0.73</b>	<b>0</b>	<b>0</b>	<b>33</b>

\*In accordance with their own specific Terms of Reference, only one substitute constituted to these Committees.

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