

Council



Forest Heath
District Council

Title of Report:	Review of Political Balance and Appointment to Politically Balanced Bodies	
Report No:	COU/FH/17/023	
Report to and date:	Council	26 July 2017
Portfolio holder:	Councillor James Waters Leader of the Council Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk	
Lead officer:	Leah Mickleborough Service Manager (Democratic Services) Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk	
Purpose of report:	<p>The Council received a written Notice under the requirements of the Local Government (Committees and Political Groups Regulations 1990) confirming that Councillor Simon Cole had become a member of the Conservative Group on Forest Heath District Council and, as such, ceased to be a member of the West Suffolk Independents group.</p> <p>Accordingly, this has altered the political composition of the District Council and Council is, therefore, requested to review the allocation of seats and substitutes to political groups in accordance with the political balance rules.</p> <p>In light of this change, Council is also being asked to review the membership of the Overview and Scrutiny Committee which is not politically balanced.</p>	
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 of Report No: COU/FH/17/023, be approved;	

	<p>(2) The allocation of seats on the Committees which are required by law to be politically balanced, as indicated in Appendix 1 and paragraph 1.2.1 of Report No: COU/FH/17/023, be approved.</p> <p>(3) The allocation of seats on the Overview and Scrutiny Committee as indicated in paragraph 1.2.3 of Report No: COU/FH/17/023, be approved. This Committee is not required to be politically balanced.</p> <p>(4) The allocation of seats on the Performance and Audit Scrutiny Committee as indicated in paragraph 1.2.3 of Report No: COU/FH/17/023, be approved. This Committee is not required to be politically balanced.</p> <p>(5) If the Council is unable to confirm the appointment of Members and Substitute Members at the Council meeting on 26 July 2017, the Service Manager (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.</p>
Key Decision:	<p><i>Is this a Key Decision and, if so, under which definition?</i> No, it is not a Key Decision - <input checked="" type="checkbox"/></p>
Consultation:	<ul style="list-style-type: none"> • None
Alternative option(s):	<ul style="list-style-type: none"> • None, as the matters under consideration are required by the Constitution.
Implications:	
<p><i>Are there any financial implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • The review has been undertaken within existing resources. Any changes required as a result of the review will also be borne from existing budgets.
<p><i>Are there any staffing implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • As above.
<p><i>Are there any ICT implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><i>Are there any legal and/or policy implications? If yes, please give</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • The Local Government and

<i>details</i>	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
<i>Are there any equality implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Risk/opportunity assessment:	N/A
Wards affected:	All Wards
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	None
Documents attached:	Appendix 1: Committees required to be politically balanced

1. Key issues and reasons for recommendation(s)

1.1 Political Composition

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

	No of members	%
Conservative	19	73.08%
West Suffolk Independent	4	15.38%
UKIP	3	11.54%
1 x vacancy	1	N/A
TOTAL	27	100.00%

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 (**Recommendation 1**).

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.

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 as listed below shows those Committees that

are required to be politically balanced:

- (a) Development Control Committee (Minimum of 14 seats) (To comprise no more than the minimum number of Members necessary to allow appointment on the basis of one Member for each Ward, unless the obligation to achieve political balance necessitates more than one Member from that Ward, but no more).
- (b) Licensing Committee (10 seats).
- (c) Joint Officer Appointments Committee (3 seats).
- (d) Joint Officer Appeals Committee (3 seats).

Politically Balanced Seats

- 1.2.2 Council is asked to allocate seats and substitutes to political groups *in accordance with the political balance rules* and appoint membership to those Committees (**Recommendation 2**):

Development Control Committee (Minimum of 14 seats; **to comprise no more than the minimum number of Members necessary to allow appointment on the basis of one Member for each Ward, unless the obligation to achieve political balance necessitates more than one Member from that Ward, but no more.**)

(Chairman and Vice Chairman appointed by the Committee on 7 June 2017 as indicated below.)

Conservatives	10 seats
West Suffolk Independent	2 seats
UKIP	2 seat

Ward	Member
All Saints	Stephen Edwards (CON)
Brandon East	Peter Ridgwell (UKIP)
Brandon West	David Palmer (WSI)
Eriswell and The Rows	David Bowman (CON)
Exning (<i>1 Member Ward</i>)	Simon Cole (CON)
Great Heath	Louis Busuttil (CON)
Iceni (<i>1 Member Ward</i>)	Rona Burt (CON) (<i>Chairman</i>)
Lakenheath	Louise Marston (CON)
Manor (<i>1 Member Ward</i>)	Brian Harvey (CON)
Market	Ruth Bowman (CON)
Red Lodge	Carol Lynch (CON)
Severals	Andrew Appleby (WSI)
South (<i>1 Member Ward</i>)	Roger Dicker (UKIP)
St Mary's	Chris Barker (CON) (<i>Vice Chairman</i>)

Changes from the 10 May 2017 (AGM) political balance/membership in summary:

1. The change in political balance causes the Conservatives to gain one seat entitlement and WSI to lose one.
2. Therefore, as Ward Member for Exning – which is a one Member Ward – Councillor Cole retains his seat on the Committee but as a Conservative rather than WSI and the balance is achieved with no actual change to membership.

Licensing and Regulatory Committee (10 seats)

(Chairman and Vice Chairman appointed by the Committee on 19 June 2017 as indicated below.)

Conservatives	7 seats
West Suffolk Independent	2 seats
UKIP	1 seat

Political Group	Member
Conservative	Michael Anderson (<i>Vice Chairman</i>)
Conservative	Chris Barker (<i>Chairman</i>)
Conservative	John Bloodworth
Conservative	Carol Lynch
Conservative	Christine Mason
Conservative	Nigel Roman
Conservative	Brian Harvey
West Suffolk Independent	Ruth Allen
West Suffolk Independent	Victor Lukaniuk
UKIP	Reg Silvester

No change from 10 May 2017 (AGM) political balance/membership.

Joint Officer Appointments Committee (3 seats and 1 substitute seat)

(Joint Committee established with St Edmundsbury Borough Council)

(Chairman and Vice Chairman appointed by the Committee)

Conservatives	2 seats
West Suffolk Independent	1 seat

Political Group	Member
Conservative	Ruth Bowman
Conservative	James Waters
West Suffolk Independent	David Palmer
Substitute Member	
Conservative	Nigel Roman

No change from 10 May 2017 (AGM) political balance/membership.

Joint Officer Appeals Committee (3 seats and 1 substitute seat)
 (Joint Committee established with St Edmundsbury Borough Council)
 (Chairman and Vice Chairman appointed by the Committee)

Conservatives 2 seats
 West Suffolk Independent 1 seat

Political Group	Member
Conservative	David Bowman
Conservative	Brian Harvey
West Suffolk Independent	Ruth Allen
Substitute Member	
Conservative	Chris Barker

No change from 10 May 2017 (AGM) political balance/membership.

Scrutiny Committees

- 1.2.3 Council is then asked to allocate seats ***without compliance to the political balance rules*** and appoint membership to the Scrutiny Committees (**Recommendations 3 and 4**):

Overview and Scrutiny Committee (10 seats)
 (Cabinet Members cannot be Members of this Committee)
 (Chairman and Vice Chairman were appointed by Annual Council on 10 May 2017 as indicated below)

The allocation of seats for 2017/2018 as agreed on 10 May 2017 (AGM) was: 7 seats to the Conservatives and 2 West Suffolk Independent Group, 1 UKIP.

Chris Barker (CON)	Rona Burt (CON)
John Bloodworth (CON)	Nigel Roman (CON)
Ruth Bowman (CON) (<i>Vice Chairman</i>)	David Palmer (WSI)
Brian Harvey (CON)	Simon Cole (CON) (<i>Chairman</i>)
Christine Mason (CON)	Reg Silvester (UKIP)

Changes from the 10 May 2017 (AGM) political balance/membership in summary:

1. It is intended that Councillor Cole will retain his seat and serve as Chairman on the Overview and Scrutiny Committee. This therefore amends the apportionment from the AGM to 8 Conservatives, 1 West Suffolk Independent and 1 UKIP.
2. Should Council approve this allocation, no further vote is required on the Chairmanship of the Overview and Scrutiny Committee.

Performance and Audit Scrutiny Committee (10 seats)
(Cabinet Members cannot be Members of this Committee)
(Chairman and Vice Chairman were appointed by Annual Council on 10 May 2017 as indicated below.)

The allocation of seats for 2017/2018 as agreed on 10 May 2017 (AGM) was: 8 seats to the Conservatives and 1 West Suffolk Independent Group, 1 UKIP.

Michael Anderson (CON)	Colin Noble (CON) (<i>Vice Chairman</i>)
John Bloodworth (CON)	Chris Barker (CON)
Louis Busuttil (CON) (<i>Chairman</i>)	Rona Burt (CON)
To be nominated (WSI)	Simon Cole (CON)
Christine Mason (CON)	Peter Ridgwell (UKIP)

Changes from the 10 May 2017 (AGM) political balance/membership in summary:

1. The Conservative Group have relinquished one seat on this Committee to the West Suffolk Independent Group (as indicated above – awaiting nomination from the WSI).
2. This will restore the allocation agreed by Council at the AGM and thus a further vote is not required.