

Council



Forest Heath
District Council

Title of Report:	Review of Political Balance and Appointment to Politically Balanced Bodies	
Report No:	COU/FH/17/027	
Report to and date:	Council	27 September 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>Following the outcome of the by-election for the Forest Heath (St Mary's Ward) vacancy that took place on 17 August 2017, the political make-up of the Council has changed.</p> <p>Accordingly, the Council is requested to review the allocation of seats and substitutes to political groups in accordance with the political balance rules.</p>	
Recommendations:	<p>It is recommended that:</p> <p>(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/17/027, be approved;</p> <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. of Report No: COU/FH/17/027, be approved.</p> <p>(3) If the Council is unable to confirm the</p>	

	<p>appointment of Members and Substitute Members at the Council meeting on 27 September 2017, the Service Manager (Democratic Services) be given delegated authority to appoint Members and Substitute Members to those bodies set out in recommendation (2) 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 details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • 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
<p><i>Are there any equality implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
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	20	74.07%
West Suffolk Independent	4	14.82%
UKIP	3	11.11%
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. Forest Heath District Council currently has no non-grouped 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.

1.1.5

As Appendix 1 demonstrates, there is no one solution that delivers a perfect political balanced situation; inevitably, one group will have one more seat than, under the political balance rules, it is entitled to. As a result, the “so far as is reasonably practicable” provision bears greater weight than previously

In practice, the seats of the UKIP group are not impacted, and so negotiation between the Conservative and West Suffolk Independent Group has concluded that:

- (a) The Conservative Group have taken an additional seat on the Licensing and Regulatory Committee than they would ordinarily be entitled to; however, this ensures that they have the correct number of seats *overall*.
 - (b) The West Suffolk Independents concede a seat on the Licensing and Regulatory Committee, however, have one more seat than they would be entitled to overall.
- 1.1.6

On this basis, the Monitoring Officer is satisfied that this solution represents the most practicable position achievable.

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 (1 Member Ward)	Simon Cole (CON)
Great Heath	Louis Busuttil (CON)
Iceni (1 Member Ward)	Rona Burt (CON) (Chairman)
Lakenheath	Louise Marston (CON)
Manor (1 Member Ward)	Brian Harvey (CON)
Market	Ruth Bowman (CON)
Red Lodge	Carol Lynch (CON)
Severals	Andrew Appleby (WSI)
South (1 Member Ward)	Roger Dicker (UKIP)
St Mary's	Chris Barker (CON) (Vice Chairman)

No changes are proposed to this Committee since it was last appointed to at the Council meeting on 26 July 2017.

Licensing and Regulatory Committee (10 seats)
(Chairman and Vice Chairman appointed by the Committee on 19 June 2017 as indicated below.)

Conservatives	8 seats
West Suffolk Independent	1 seats
UKIP	1 seat

Political Group	Member
Conservative	Michael Anderson (Vice Chairman)
Conservative	Chris Barker
Conservative	John Bloodworth
Conservative	Carol Lynch
Conservative	Christine Mason
Conservative	Nigel Roman
Conservative	Brian Harvey (Chairman)
Conservative	Simon Cole
West Suffolk Independent	Victor Lukaniuk
UKIP	Reg Silvester

Changes to political balance/membership in summary:

1. The change in political balance (as explained in Paragraph 1.1.5 above) results in the Conservatives gaining one seat entitlement and WSI losing one;
2. Therefore, it is proposed that Councillor Simon Cole (Conservative) replaces Councillor Ruth Allen (WSI) on this Committee.

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.

1.3 **Scrutiny Committees**

No changes are required to the composition of the Scrutiny Committees or any of the Council's other non-politically balanced Committees.