

Extraordinary Council



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Review of Political Balance and Appointment to Politically Balanced Bodies	
Report No:	COU/SE/17/018	
Report to and date:	Extraordinary Council	17 October 2017
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Purpose of report:	<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.
Recommendations:	<p>It is <u>RECOMMENDED</u> 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, as set out in paragraph 1.1.1, be approved;</p> <p>(2) 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;</p> <p>(3) 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;</p> <p>(4) 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</p> <p>(5) 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.</p>
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<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>
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 law and the Constitution.
Implications:	

Are there any financial implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <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.
Are there any staffing implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> As above.
Are there any ICT implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none">
Are there any legal and/or policy 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 equality implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none">
Risk/opportunity assessment:	Not applicable as a review is required by law to be undertaken.
Wards affected:	All Wards
Background papers:	None
Documents attached:	Appendix 1: Committees required to be politically balanced and place entitlement /allocation Appendix 2: 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:

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

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.

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

- 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.