

Council



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Review of Political Balance and Appointment to Politically Balanced Bodies	
Report No:	COU/SE/15/017 [to be completed by Democratic Services]	
Report to and date:	Annual Council	19 May 2015
Portfolio holder:	Leader of the Council <i>(Appointment of the Leader of the Council to be confirmed at Annual Council on 19 May 2015)</i>	
Lead officer:	Joy Bowes Service Manager (Legal) Tel: 01284 757141 Email: joy.bowes@westsuffolk.gov.uk	
Purpose of report:	The Council is required by the Constitution at each Annual Meeting to decide: (1) which committees to establish for the municipal year; (2) the size and agree terms of reference for those committees; and (3) the allocation of seats and substitutes to political groups in accordance with the political balance rules.	
Recommendations:	It is <u>RECOMMENDED</u> that: (1) the Committees, Joint Committees and Working Party listed in Sections 1.2.1 to 1.2.3 of Report No: COU/SE/15/017 continue to operate for 2015/2016 in accordance with their existing number of seats and terms of reference, as contained in Appendix 2; (2) 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 of	

	<p>Report No: COU/SE/15/017, be approved;</p> <p>(3) the allocation of seats on the Committees which are required by law to be politically balanced, as indicated in Appendix 1 to Report No: COU/SE/15/017, be approved;</p> <p>(4) the allocation of seats on the West Suffolk Joint Standards Committee, as indicated in Section 1.2.2 of Report No: COU/SE/15/017, be approved. This Committee is not required to be politically balanced;</p> <p>(5) the allocation of seats on the Democratic Renewal Working Party, as indicated in Section 1.2.3 of Report No: COU/SE/15/017, be approved, whilst maintaining the political balance requirement;</p> <p>(6) the Service Manager (Legal) be given delegated authority to appoint Members and substitute Members to those bodies set out in recommendations (3), (4) and (5) 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>
<p>Consultation:</p>	<ul style="list-style-type: none"> • None
<p>Alternative option(s):</p>	<ul style="list-style-type: none"> • None, as the matters under consideration are required by the Constitution.
<p>Implications:</p>	
<p><i>Are there any financial implications?</i> <i>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?</i> <i>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> <ul style="list-style-type: none"> •

<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <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 the annual meeting. 	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Opportunities for joint working are missed	Medium	Consider the creation of joint committees/panels wherever possible.	Low
Duplication of effort between member bodies	Medium	Carry out an annual review of committees, 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
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 and place entitlement Appendix 2: Committee, Joint Committee and Working Party Terms of Reference	

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:

GROUP	No of members	%
Conservative	36	80.00%
United Kingdom Independence Party	4	8.89%
Charter (DN, RC, DH, JW)	4	8.89%
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.

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. The allocation of seats is to be one Conservative Group, one UK Independence Party Group and one Charter Group.

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	
GROUP	Entitled Places (exact)	Allocated Places
Conservative	5.6	5
United Kingdom Independence Party	0.62	1
Charter (DN, RC, DH, JW)	0.62	1
Independent (PH) Non-Group	0.16	0
TOTAL	7	7

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 The Council is asked to consider whether it wishes to continue operating the above Committees, Joint Committee and Working Party for 2015/2016 in

accordance with their existing number of seats and terms of reference, as contained in Appendix 2 attached.

- 1.2.6 Council is then asked to allocate seats and substitutes to political groups in accordance with the political balance rules and appoint membership to those Committees and Working Party via delegated authority.