

**Classification:** Public

**Key Decision:** No

## **Gravesham Borough Council**

**Report to:** Council

**Date:** 9 October 2018

**Reporting officer:** Chief Executive

**Subject:** Representation of Political Groups on Committees /  
Appointments to Committees

### **Purpose and summary of report:**

Council is statutorily obliged to review its political balance arrangements following the establishment of a new political group and then determine the allocation of seats to each political group. Subsequently, the Council has a duty to make appointments to those committees giving effect to the wishes of the political group allocated the seats.

### **Recommendations:**

That Council:

1. agree the size of each committee as set out in this report;
2. agree the allocation of seats on committees to each of the Council's political groups as set out within this report;
3. appoints councillors to sit on the committees as set out in Appendix Two;
4. appoints chairs and vice-chairs on the ordinary committees and panels as set out in Appendix Two;

## **1. Context/Background Information**

- 1.1 With the establishment of the Gravesham Independent Conservative Group, the Council's political balance has become Labour 20; Conservative 12; Gravesham Independent Conservative Group 12, with no single group having an overall majority.
- 1.2 The Council is statutorily obliged to review its political balance arrangements following the establishment of a new Group on the council. As soon as practicable after the review, the Council has a duty to determine the allocation to the different political groups all the seats on the relevant committees
- 1.3 The Local Government and Housing Act 1989 and the subsequent Local Government (Committees and Political Groups) Regulations 1990 set out the requirements in respect of the allocation of seats on the committees of a local authority
- 1.4 The principal requirements are that:
  - (a) All seats are not allocated to the same Group,

- (b) The majority of the seats go to the Group (if any) which has an overall majority on the Council,
- (c) Subject to the above two principles, that the number of seats on the total of all the committees allocated to each Group bears the same proportion to the proportion they hold on the Full Council, and
- (d) Subject to (a) and (c), that the number of seats on each committee allocated to each Group bears the same proportion to the proportion of seats held on the Full Council.

## 2. Application of Political Balance principles

- 2.1 The ordinary committees/panels/board (hereinafter called ‘committees’) that need to be politically balanced both individually, and overall, are set out below.

**Table one – Committee Seats**

<b>Committee</b>	<b>Seats</b>
Licensing Committee	15
Appointments Board	12
Crime and Disorder Scrutiny Committee	10
Finance and Audit Committee	9
Overview Scrutiny Committee	9
Regulatory Board	9
Standards Committee	9
Appeals Sub-Committee	4
Appointments Panel	4
Hackney Carriage Sub-Committee	4
Licensing Panel	3
<b>Total</b>	<b>88</b>

- 2.2 The revised political balance calculation and entitlements to seats on the committees are below. Fractional entitlements of less than one half are rounded down and entitlements of one half or more are rounded up.

**Table two – Entitlement to seats**

<b>Group</b>	<b>Members</b>	<b>Proportion of Council Seats</b>	<b>Total number of committee seats</b>
Labour	20	45.5%	40
Conservatives	12	27.3%	24
Gravesham Independent Conservatives (GIC)	12	27.3%	24
<b>TOTAL</b>	<b>44</b>	<b>100%</b>	<b>88</b>

- 2.3 Table three sets out the calculations for politically balanced committees. This details each group’s seat entitlement and allocates the seats for each group on the committee. The column entitled ‘Adjusted seats on each committee’ shows the total number of seats on the committee and details any amendments made to the committee size.

**Table three - Allocation of seats on each ordinary committee**

Committee	Group	Seats on Committee	Seat Entitlement	Total per Committee	Adjusted seats on each committee
Licensing Committee	Labour	15	6.83	7	15 (unchanged)
	Conservative		4.10	4	
	GIC		4.10	4	
Appointments Board	Labour	12	5.46	5	11 (1 less)
	Conservative		3.28	3	
	GIC		3.28	3	
Crime and Disorder Scrutiny Committee	Labour	10	4.55	5	11 (1 more)
	Conservative		2.73	3	
	GIC		2.73	3	
Finance and Audit Committee	Labour	9	4.10	4	9 (1 unallocated)
	Conservative		2.46	2	
	GIC		2.46	2	
Overview Scrutiny Committee	Labour	9	4.10	4	9 (1 unallocated)
	Conservative		2.46	2	
	GIC		2.46	2	
Regulatory Board	Labour	9	4.10	4	9 (1 unallocated)
	Conservative		2.46	2	
	GIC		2.46	2	
Standards Committee	Labour	9	4.10	4	9 (1 unallocated)
	Conservative		2.46	2	
	GIC		2.46	2	
Appeals Sub-Committee	Labour	4	1.82	2	4 (unchanged)
	Conservative		1.09	1	
	GIC		1.09	1	
Appointments Panel	Labour	4	1.82	2	4 (unchanged)
	Conservative		1.09	1	
	GIC		1.09	1	
Hackney Carriage Sub-Committee	Labour	4	1.82	2	4 (unchanged)
	Conservative		1.09	1	
	GIC		1.09	1	
Licensing Panel	Labour	3	1.37	1	3 (unchanged)
	Conservative		0.82	1	
	GIC		0.82	1	
<b>Total Seats</b>				<b>84</b>	<b>88</b>

**Table four - Result of Political balance calculations applied**

Group	Seats Allocated	Seat Entitlement
Labour	40	40
Conservative	22	24
Gravesham Independent Conservative (GIC)	22	24
<b>TOTAL</b>	<b>84</b>	<b>88</b>

2.4 The calculations within table three indicate that adjustments to membership size would be required for the Appointments Board (moving from 12 to 11 members) and Crime and Disorder Scrutiny Committee (moving from 10 to 11). These adjustments have a neutral effect in terms of the total number of seats available, which would remain unchanged at 88.

- 2.5 No adjustments to membership size are required to Licensing Committee, Appeals Sub-Committee, Appointments Panel, Hackney Carriage Sub-Committee or Licensing Panel.
- 2.6 Table four shows that 84 out of the 88 seats have been allocated. The Labour group have been allocated 40 seats which exactly matches the number the group is entitled to. Both the Conservative and Gravesham Independent Conservatives groups have been allocated 22 seats, which is two short of their entitlement of 24 seats each.
- 2.7 The 4 'unallocated' seats are on committees with a membership of 9.

### **3. Ordinary committees with a membership of 9**

- 3.1 There are four ordinary committees that have a membership of 9 seats. These are; Finance and Audit Committee, Overview Scrutiny Committee, Regulatory Board and the Standards Committee.
- 3.2 In applying the political balance rules to each of these committees only 8 seats can be allocated, with the ninth seat 'unallocated'. These seats could in theory only be allocated to either the Conservative or Gravesham Independent Conservative groups as they are both under allocated seats (22 out of 24).
- 3.3 However if any of these 'unallocated' seats were given to either of these groups it would result in that respective committee being 'politically unbalanced'. Also, as both groups have an equal number of group members (12) and therefore equal right to the ninth seat on each committee they cannot be allocated on a fair basis.
- 3.4 After consultation with all respective group leaders it is proposed to Council that all four 'unallocated seats' on these 9 member committees will be left unfilled. This will ensure that each individual committee is balanced in line with legislation and that any attempts to allocate these seats do not result in unbalanced committees. For the avoidance of doubt, it has been established that amending the size of these committees either up or down does not result in a politically balanced situation and causes further difficulties in achieving an equitable outcome.
- 3.5 If Council did wish to allocate any of these seats in a manner that is not in accordance with the political balance requirements it can legally only do so if no councillor votes against any such proposal.
- 3.6 The proposed allocation of places and appointments to each of the ordinary committees (including chairs and vice-chairs) is detailed in Appendix two to this report and takes into account the principles referred to in paragraph 1.4 and the wishes of each group leader.

### **4. Cabinet Committees**

- 4.1 Cabinet committees are not subject to the political balance rules and therefore have no effect on the overall allocation of seats. These committees have by convention been politically balanced, so to maintain this, it is proposed to reduce all cabinet committees from 9 to 8 members (4 Labour, 2 Conservative and 2 Gravesham Independent Conservatives). This will affect;

- Community Services Cabinet Committee
- Environmental Services Cabinet Committee
- Housing Cabinet Committee
- Performance and Administration Cabinet Committee
- Planning and Regeneration Cabinet Committee

4.2 The proposed allocation of places and appointments to each cabinet committee is detailed in Appendix two and takes into account the wishes of each group leader.

4.3 The appointments of chairs and vice-chairs to these committees is at the discretion of the Leader of the Council and have been included for reference only.

## **5. Gravesham Joint Transportation Board**

5.1 Gravesham's Joint Transportation Board is not subject to the balance rules and therefore has no effect on the overall allocation of seats. This committee has by convention been politically balanced, so to maintain this, it is proposed to allocate 4 seats out of the 5 available and leave 1 seat vacant (2 Labour, 1 Conservative and 1 Gravesham Independent Conservative).

5.2 The proposed allocation of places and appointments to this board is detailed in Appendix two and takes into account the wishes of each group leader.

IMPLICATIONS		APPENDIX 1
<b>Legal</b>	The Council is required by the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 to effect political balance requirements in the appointment of Committees and Sub-Committees identified within the appendix to this report.	
<b>Finance and Value for Money</b>	There are no financial implications arising from this report.	
<b>Risk Assessment</b>	The Council's decision making arrangement could be subject to challenge if the statutory requirement to consider political balance requirements is not adhered to	
<b>Equality Impact Assessment</b>	<b>Screening for Equality Impacts</b>	
	<b>Question</b>	
	a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer. No	
	b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer. No	
<i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i>		
<b>Corporate Plan</b>	Not applicable	
<b>Crime and Disorder</b>	Not applicable	
<b>Digital and website implications</b>	Not applicable	
<b>Safeguarding children and vulnerable adults</b>	Not applicable	