

Classification: Public

Key Decision: No

Gravesham Borough Council

Report to: Council

Date: 16 April 2019

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 a change in the membership of political groups 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;

1. Context/Background Information

- 1.1 Following the recent move of Cllr Les Pearton from the Conservative Group to the Gravesham Independent Conservative Group, the Council's political balance has become Labour 20; Gravesham Independent Conservative Group 13 and Conservative 11; with no single group having an overall majority.
- 1.2 The Council is statutorily obliged to review its political balance arrangements following a change in the membership of political groups. 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

Committee	Seats
Licensing Committee	15
Appointments Board	11
Crime and Disorder Scrutiny Committee	11
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
Total	88

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

Group	Members	Proportion of Council Seats	Total number of committee seats
Labour	20	45.5%	40
Gravesham Independent Conservatives (GIC)	13	29.5%	26
Conservatives	11	25.0%	22
TOTAL	44	100%	88

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		3.75	4	
	GIC		4.43	4	
Appointments Board	Labour	11	5.01	5	11 (unchanged)
	Conservative		2.75	3	
	GIC		3.25	3	
Crime and Disorder Scrutiny Committee	Labour	11	5.01	5	11 (unchanged)
	Conservative		2.75	3	
	GIC		3.25	3	
Finance and Audit Committee	Labour	9	4.10	4	9 (unchanged)
	Conservative		2.25	2	
	GIC		2.66	3	
Overview Scrutiny Committee	Labour	9	4.10	4	9 (unchanged)
	Conservative		2.25	2	
	GIC		2.66	3	
Regulatory Board	Labour	9	4.10	4	9 (unchanged)
	Conservative		2.25	2	
	GIC		2.66	3	
Standards Committee	Labour	9	4.10	4	9 (unchanged)
	Conservative		2.25	2	
	GIC		2.66	3	
Appeals Sub-Committee	Labour	4	1.82	2	4 (unchanged)
	Conservative		1.00	1	
	GIC		1.18	1	
Appointments Panel	Labour	4	1.82	2	4 (unchanged)
	Conservative		1.00	1	
	GIC		1.18	1	
Hackney Carriage Sub-Committee	Labour	4	1.82	2	4 (unchanged)
	Conservative		1.00	1	
	GIC		1.18	1	
Licensing Panel	Labour	3	1.37	1	3 (unchanged)
	Conservative		0.75	1	
	GIC		0.89	1	
Total Seats				88	88

Table four - Result of Political balance calculations applied

Group	Seats Allocated	Seat Entitlement
Labour	40	40
Gravesham Independent Conservative (GIC)	26	26
Conservative	22	22
TOTAL	88	88

- 2.4 The calculations within table three indicate that no adjustments to the membership size would be required for any committees, although the previously unallocated seats on each nine member committee will now be allocated to the Gravesham Independent Conservative Group.
- 2.5 Table four shows that all 88 seats have been allocated to a group. The Labour group have been allocated 40 seats; Gravesham Independent Conservatives group have been allocated 26 seats and the Conservative group have been allocated 22 seats. All allocations match each group's entitlement exactly.

3. Cabinet Committees

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 that the cabinet committee's membership reverts to 9 members as it was before the last review in October 2018. This will consist of 4 Labour, 3 Gravesham Independent Conservatives and 2 Conservative members. This will affect;

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

- 3.1 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.
- 3.2 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.

4. Gravesham Joint Transportation Board

- 4.1 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 continue with the allocation of seats previously agreed in October 2018 with 4 seats allocated out of the 5 available and 1 seat left vacant (2 Labour, 1 Gravesham Independent Conservative and 1 Conservative).
- 4.2 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
Legal	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.
Finance and Value for Money	There are no financial implications arising from this report.
Risk Assessment	The Council's decision making arrangement could be subject to challenge if the statutory requirement to consider political balance requirements is not adhered to
Equality Impact Assessment	Screening for Equality Impacts
	Question
	<p>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.</p> <p>No</p>
	<p>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer.</p> <p>No</p>
<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>	
Corporate Plan	Not applicable
Crime and Disorder	Not applicable
Digital and website implications	Not applicable
Safeguarding children and vulnerable adults	Not applicable