

**Classification:** Public

**Key Decision:** No

## **Gravesham Borough Council**

**Report to:** Council

**Date:** 12 May 2020

**Reporting officer:** Chief Executive

**Subject:** Representation of Political Groups on 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. These appointments will be made at the Annual Council meeting.

### **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;

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

- 1.1 Following the death of Cllr Colin Caller, the Council's political balance has become Labour Group - 22; Conservative Group - 19, Independent Group - 2 and one vacancy.
- 1.2 In March the UK government laid the Coronavirus Act 2020 in Parliament which set out wide ranging measures to respond to the COVID-19 outbreak. As part of the Act, legislation to postpone polls were brought into effect. As a consequence the by-election scheduled on 16 April 2020 was postponed and will be held once the prevailing conditions allow. Therefore a vacancy continues to exist which cannot be used in the political balance calculations.
- 1.3 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.
- 1.4 The Local Government and Housing Act 1989 and Local Government (Committees and Political Groups) Regulations 1990 detailed the requirements in respect of the allocation of seats on the committees of a local authority.

1.5 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	14
Crime and Disorder Scrutiny Committee	14
Finance and Audit Committee	9
Overview Scrutiny Committee	9
Regulatory Board	9
Standards Committee	9
Appeals Sub-Committee	3
Appointments Panel	3
Hackney Carriage Sub-Committee	3
Licensing Panel	3
<b>Total</b>	<b>91</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	22	51.2%	47
Conservatives	19	44.2%	41
Independents	2	4.7%	4
<b>TOTAL</b>	43 (+ 1 vacant)	100%	92

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	7.68	8	14 (1 less)
	Conservative		6.63	7	
	Independent		0.70	1	
Appointments Board	Labour	14	7.16	7	14 (unchanged)
	Conservative		6.18	6	
	Independent		0.65	1	
Crime and Disorder Scrutiny Committee	Labour	14	7.16	7	14 (unchanged)
	Conservative		6.18	6	
	Independent		0.65	1	
Finance and Audit Committee	Labour	9	4.60	5	9 (unchanged)
	Conservative		3.97	4	
	Independent		0.42	0	
Overview Scrutiny Committee	Labour	9	4.60	5	9 (unchanged)
	Conservative		3.97	4	
	Independent		0.42	0	
Planning Committee	Labour	9	4.60	5	9 (unchanged)
	Conservative		3.97	4	
	Independent		0.42	0	
Standards Committee	Labour	9	4.60	5	9 (unchanged)
	Conservative		3.97	4	
	Independent		0.42	0	
Appeals Sub-Committee	Labour	3	1.53	2	3 (unchanged)
	Conservative		1.32	1	
	Independent		0.14	0	
Appointments Panel	Labour	3	1.53	2	3 (unchanged)
	Conservative		1.32	1	
	Independent		0.14	0	
Hackney Carriage Sub-Committee	Labour	3	1.53	2	3 (unchanged)
	Conservative		1.32	1	
	Independent		0.14	0	
Licensing Panel	Labour	3	1.53	1	3 (unchanged)
	Conservative		1.32	1	
	Independent		0.14	0	
<b>Total Seats</b>				<b>91</b>	<b>90</b>

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

Group	Seats Allocated	Seat Entitlement
Labour	49 (+3)	46
Conservatives	38 (-2)	40
Independents	3 (-1)	4
<b>TOTAL</b>	<b>90</b>	<b>90</b>

- 2.4 The calculations within table three indicate that one adjustment would be required to the Licensing Committee, moving from 15 to 14 members. This adjustment is required to ensure that the committee is politically balanced and representative of each groups membership of the council as a whole. The Committee numbers are also restricted by law and cannot be greater than 15 members. This adjustment down means the number of seats on ordinary committee's decreases by one to 90.
- 2.5 Table four shows that initially all 90 seats have been allocated to groups. The Labour group have been allocated 49 seats; Conservative group have been allocated 38 seats and the Independent group have been allocated 3 seats.
- 2.6 However, this initial allocation does not match the overall entitlement to each group with the Labour group three seats over allocated, the Conservative Group two seats under allocated and the Independent Group one seat under allocated.
- 2.7 To resolve this and ensure that the political balance rules are followed when allocating seats the Labour Group need to pass two seats to the Conservative Group and one seat to the Independent Group. Therefore the Leader of the Labour Group has agreed that:
- 2.7.1 One seat will be given to the Conservative Group on the Appointments Board. This will change the membership of this committee to; 6 Labour, 7 Conservative and 1 Independent.
  - 2.7.2 One seat will be given to the Conservative Group on the Crime and Disorder Scrutiny Committee. This will change the membership of this committee to; 6 Labour, 7 Conservative and 1 Independent.
  - 2.7.3 One seat will be given to the Independent Group on the Planning Committee. This will change the membership of this committee to; 4 Labour, 4 Conservative and 1 Independent.
- 2.8 The Council has a duty to make appointments to those committees giving effect to the wishes of the political groups allocation of seats. Subject to agreement of Council these appointments will be made at the Annual Council meeting on 12 May 2020 using the calculations setout within this report.

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>
	<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>	
<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