

**Classification:** Public

**Key Decision:** No

## **Gravesham Borough Council**

**Report to:** Council

**Date:** 18 May 2021

**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.

### **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 Westcourt By-Election held on 6 May 2021 the Council's political balance has become Labour Group - 22; Conservative Group - 20, Independent Group - 2.
- 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 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.
- 1.4 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	14
Appointments Board	14
Crime and Disorder Scrutiny Committee	14
Finance and Audit Committee	9
Overview Scrutiny Committee	9
Planning Committee	9
Standards Committee	9
Appeals Sub-Committee	3
Appointments Panel	3
Hackney Carriage Sub-Committee	3
Licensing Panel	3
<b>Total</b>	<b>90</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	50.0%	45
Conservatives	20	45.5%	41
Independents	2	4.5%	4
<b>TOTAL</b>	<b>44</b>	<b>100%</b>	<b>90</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	14	7.00	7	14 (1 less)
	Conservative		6.37	6	
	Independent		0.63	1	
Appointments Board	Labour	14	7.00	7	14 (unchanged)
	Conservative		6.37	6	
	Independent		0.63	1	
Crime and Disorder Scrutiny Committee	Labour	14	7.00	7	14 (unchanged)
	Conservative		6.37	6	
	Independent		0.63	1	
Finance and Audit Committee	Labour	9	4.50	5	9 (unchanged)
	Conservative		4.09	4	
	Independent		0.40	0	
Overview Scrutiny Committee	Labour	9	4.50	5	9 (unchanged)
	Conservative		4.09	4	
	Independent		0.40	0	
Planning Committee	Labour	9	4.50	5	9 (unchanged)
	Conservative		4.09	4	
	Independent		0.40	0	
Standards Committee	Labour	9	4.50	5	9 (unchanged)
	Conservative		4.09	4	
	Independent		0.40	0	
Appeals Sub-Committee	Labour	3	1.50	2	3 (unchanged)
	Conservative		1.36	1	
	Independent		0.13	0	
Appointments Panel	Labour	3	1.50	2	3 (unchanged)
	Conservative		1.36	1	
	Independent		0.13	0	
Hackney Carriage Sub-Committee	Labour	3	1.50	2	3 (unchanged)
	Conservative		1.36	1	
	Independent		0.13	0	
Licensing Panel	Labour	3	1.50	1	3 (unchanged)
	Conservative		1.36	1	
	Independent		0.13	0	
<b>Total Seats</b>				<b>90</b>	<b>90</b>

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

Group	Seats Allocated	Seat Entitlement
Labour	49 (+4)	45
Conservatives	38 (-3)	41
Independents	3 (-1)	4
<b>TOTAL</b>	<b>90</b>	<b>90</b>

2.4 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.

2.5 However, this initial allocation does not match the overall entitlement to each group with the Labour group four seats over allocated, the Conservative Group three seats under allocated and the Independent Group one seat under allocated.

- 2.6 To resolve this and ensure that the political balance rules are followed when allocating seats the Labour Group need to pass three seats to the Conservative Group and one seat to the Independent Group. Therefore the Leader of the Labour group has indicated that:
- 2.6.1 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.
  - 2.6.2 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.
  - 2.6.3 One seat will be given to the Conservative Group on the Licensing Committee. This will change the membership of this committee to; 6 Labour, 7 Conservative and 1 Independent.
  - 2.6.4 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.
- 2.7 These changes will ensure that the committees are politically balanced in accordance with the Local Government and Housing Act 1989 and Local Government (Committees and Political Groups) Regulations 1990. The Council then has a duty to make appointments to those committees giving effect to the wishes of the political groups allocation of seats.

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 finance or value for money implications resulting from this report.
<b>Risk Assessment</b>	The Council's decision making arrangements could be subject to challenge if the statutory requirement to consider political balance requirements is not adhered to
<b>Data Protection Impact Assessment</b>	<i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i>
	<p>a. Does the project/change being recommended through this paper involve the processing of <a href="#">personal data</a> or <a href="#">special category data</a> or <a href="#">criminal offence data</a>?</p> <p>Whilst there are no specific data protection or GDPR consideration directly linked to this report.</p>
	<p>b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice?</p> <p>N/A</p>
<p>c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at <a href="mailto:gdpr@medway.gov.uk">gdpr@medway.gov.uk</a>.</p> <p>N/A</p>	
<b>Equality Impact Assessment</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>Climate Change</b>	Not applicable
<b>Crime and Disorder</b>	Not applicable

<b>IMPLICATIONS</b>		<b>APPENDIX 1</b>
<b>Digital and website implications</b>	Not applicable	
<b>Safeguarding children and vulnerable adults</b>	Not applicable	