

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Council

**DATE:** 28<sup>th</sup> January 2014

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**WARD(S):** All

### **PART I** **FOR DECISION**

#### **REVIEW OF COMMITTEE PLACES AND APPOINTMENTS**

##### 1 **Purpose of Report**

To review the allocation of seats on Committees and make appointments to the revised allocation.

##### 2. **Recommendations**

The Council is requested to resolve:

- (a) That the political balance of the Council as set out in Paragraph 5.3 be noted.
- (b) That the revised allocation of seats on Committees be agreed as set out in Appendix 2.
- (c) That appointments be made to the revised allocation of seats in accordance with Group wishes and  
  
That Councillor Mittal be appointed to the Licensing Committee as an Independent Councillor.  
  
That Councillor XX be appointed to the Planning Committee in place of Councillor Mittal.
- (d) That Councillor XX be appointed vice chair of the Licensing Committee for the remainder of the 2013/14 municipal year.
- (e) That Councillor XX be appointed to the Member Panel on the Constitution in place of Councillor Mittal.
- (f) That the membership of the Health Scrutiny Panel be reviewed by the Overview and Scrutiny Committee at its meeting on 6<sup>th</sup> February 2014.

##### 3. **Community Strategy Priorities**

Effective, transparent and democratic decision making processes are an essential pre-requisite to the delivery of all the Council's priorities.

#### 4. **Other Implications**

- 4.1 The recommendations within this report meet legal requirements. The relevant law in respect of this matter is set out in Sections 15-17 (inclusive) of the Local Government and Housing Act 1989 (the Act) and the Local Government (Committees and Political Groups) Regulations 1990 (as amended). The Act requires that the review should be held at the Annual Meeting or as soon as practicable after that meeting or when the membership of the Council changes. The Monitoring Officer has a statutory responsibility for ensuring the council implements proportionality correctly.
- 4.2 The basic principles for allocating places on committees between political groups are:-
- (a) That not all of the seats on the committee are allocated to the same political group,
  - (b) That the majority party on the Council must have a majority over all the other groups on the committee.
  - (c) That subject to (a) and (b), the proportion of seats allocated to each political group of the total of all committees should be the same as the proportion of Members who belong to that group.
  - (d) That subject (a)-(c), the proportion of seats allocated to each political group on each committee should be the same as the proportion of Members who belong to that group.
- 4.3 The principles outlined above rank in priority. Principles (a) and (b) (no one party committees and the largest political group having a majority) must always be satisfied. Subject to those first principles the proportionality rule in (d) is applied and this distributes places proportionally among the political groups according to their respective size. For ordinary committees, however, there is a further political requirement – principle (c) applies. This means that the distribution of places on the individual committees must be adjusted so that proportionality is observed across all the ordinary committees taken as a whole (subject to principles (a) and (b)) even though this will often mean departing from proportionality within a particular committee. The effect is that a second and any subsequent opposition party will generally be entitled to some committee places even though their size does not entitle them to places on all committees. The Regulations also provide for a member who is not a member of a political group under the requirements of the Act to be allocated seats to which the political groups are not entitled. As with the minority political groups it is the Council which decides which committees are allocated to Independent members.
- 4.4 The proposals have no workforce implications and any financial implications have been reflected within the approved budget. There are no Human Rights Act implications.
- 4.5 As an alternative to applying the political proportionality rules the Council is entitled under Section 17 of the Act to adopt different arrangements provided all of the members vote for/abstain from a proposal (ie: no member votes against).

## 5. **Supporting Information**

### **Allocation of Seats on Committees**

#### **Background**

- 5.1 The Council on 16<sup>th</sup> May 2013 agreed the allocation of seats on the Council's Committees to political groups under the proportionality rules and appointed to those seats. The current allocation of seats is set out at Appendix 1.

#### **Group Membership**

- 5.2 On the 5th December 2012 Councillor Mittal formally advised that he was no longer a member of the Labour Group and would become an independent member. The Council will therefore need to consider the allocation of Committee seats based on revised group size.

### **Revised Proportionality**

#### **Committee Places**

- 5.3 The Labour Group now comprises 34 Members and is entitled to 82.93% of the seats of the whole council. The Conservative Group is unchanged and consists of 5 Members (entitled to 12.19% of the seats). Councillor Plimmer sits as a Liberal Democrat (entitled to 2.44% of the seats) and Councillor Mittal, as an independent, will also be entitled to 2.44 % of the seats. The seats allocated to each Committee must reflect this entitlement, as far as reasonably practicable, having taken into account principles (a), (b) and (c) above. There are 50 seats available for allocation.
- 5.4 The Labour Group is entitled to 42 seats, the Conservative Group to 6 seats and Councillors Plimmer and Mittal to 1 seat each.
- 5.5 The revised proportionality results in the following actions being necessary:
- Councillor Mittal loses a seat on the Licensing committee as he was appointed to the seat on the Committee by the Labour Group.
  - The Labour Group is entitled to one less seat on the Licensing Committee
  - Councillor Mittal loses his seat on the Planning Committee and Health Scrutiny Panel and a Labour Group vacancy is created on both bodies as Councillor Mittal was appointed to seats on these bodies by virtue of being a member of the Labour Group.
  - Councillor Mittal is entitled to a seat on the Licensing Committee as an Independent Councillor.
- 5.6 The Council appointed Councillor Mittal as Vice Chair of the Licensing Committee at its meeting on 16<sup>th</sup> May 2013. As a consequence of the above proportionality requirements and the removal of Councillor Mittal from the Licensing Committee and his reappointment as an independent councillor the Council will need to consider whether to re-appoint Councillor Mittal as vice chair of the committee for the remainder of the Municipal year.

5.7 The Council at its meeting on 16<sup>th</sup> May 2013 appointed Councillor Mittal to one of the Labour Group seats on the Member Panel on the Constitution. The Council will need to consider whether to appoint another Labour Councillor to this seat as Councillor Mittal is no longer a member of the Group.

6. **Appendices**

Appendix 1 – Current allocation of seats on Committees.

Appendix 2 – Proposed allocation of seats

7. **Background Papers**

Notification from Councillor Mittal

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**ALLOCATION OF SEATS – COUNCIL MAY 2013**

	<b>Total No. of Seats on Body</b>	<b>Labour (35) (85.36%)</b>	<b>Conservative (5) (12.19%)</b>	<b>R PLIMMER (1) (2.44%)</b>
Cabinet (Executive)	8	8		
Standards Advisory	6	5	1	
Audit and Risk	6	5	1	
Overview & Scrutiny	9	8	1	
Planning	9	8	1	
Licensing	11	9	1	1
Employment & Appeals	9	8	1	
<b><u>TOTAL SEATS ALLOCATED</u></b>	<b>50</b>	<b>43</b>	<b>6</b>	<b>1</b>
<b><u>[GROUP] SEAT ENTITLEMENT (Basket)</u></b>		<b>43 (42.68)</b>	<b>6 (6.10)</b>	<b>1 (1.07)</b>

**REVISED ALLOCATION OF SEATS – COUNCIL JANUARY 2014**

	<b>Total No. of Seats on Body</b>	<b>Labour (34) (82.93%)</b>	<b>Conservative (5) (12.19%)</b>	<b>R PLIMMER (1) (2.44%)</b>	<b>B Mittal (1) (2.44%)</b>
Cabinet (Executive)	8	8			
*Standards Advisory	6	5	1		
Audit and Risk	6	5	1		
Overview & Scrutiny	9	8	1		
Planning	9	8	1		
Licensing	11	<u>9-1=8</u>	1	1	<u>+1</u>
Employment & Appeals	9	8	1		
<b><u>TOTAL SEATS ALLOCATED</u></b>	<b>50</b>	<u>43-1=42</u>	6	1	<u>1</u>
<b><u>[GROUP] SEAT ENTITLEMENT (Basket)</u></b>		<b>42 (41.46)</b>	<b>6 (6.10)</b>	<b>1 (1.22)</b>	<b>1 (1.22)</b>