

COUNCIL (ANNUAL)

Report title	Political Balance Allocation of Places 2018
Chief Executive or Director	Strategic Director of Finance, Governance and Support
Date	16 May 2018
Purpose of the report	<p>To recommend the allocation of places on committees and sub-committees for 2018 in accordance with the political balance of the Council.</p>
Summary of the report	<p>The Local Government and Housing Act 1989 requires that the Council periodically reviews the political composition of the Council, and how this is applied to appointments to committees and sub-committees of the Council.</p> <p>The rules for securing political balance on committees and sub-committees appointed by local authorities are contained in sections 15 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations 1990.</p> <p>The Council is under a duty to:</p> <p>(a) Ensure that the membership of those committees and sub-committees covered by the rules reflect the political composition of the Council, as far as practicable.</p> <p>(b) Review the allocation of seats to political groups at or as soon as practical after the Annual Council meeting and at certain other specified times for example, as a result of changes in political balance or an increase in the number of committees established.</p> <p>(c) Allocate seats on the committees to the political groups in proportion to their numerical strength on the Council, as far as practicable;</p> <p>(d) Accept nominations made by the groups for the filling of seats allocated to them.</p>
If this is a confidential report, which exemption(s) from the Schedule 12a of the Local	NO

Government Act 1972 applies?	
Decision(s) asked for	<p>That the allocation of seats on committees that are subject to the rules relating to political balance is approved as follows:</p> <p>Labour - 116 seats Conservative - 18 seats Middlesbrough Independent Councillors Association (MICA) - 18 seats Independents - 19 seats</p> <p>That the Monitoring Officer be authorised to fill the unallocated seats as indicated in paragraph 14 and make any necessary further adjustments to remove or replace members where directed by the relevant group or member.</p> <p>That any committee established prior to the next review be appointed on the basis of the places shown in Table 3 attached.</p>
Impact of decision(s)	

What is the purpose of this report?

1. To recommend the allocation of places on committees and sub-committees for 2018 in accordance with the political balance of the Council.

Why is this report necessary?

2. The report is necessary so that places on committees are allocated in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

What decision(s) are being asked for?

3. That the allocation of seats on committees that are subject to the rules relating to political balance is approved.
4. The Local Government and Housing Act 1989 requires that the Council periodically reviews the political composition of the Council, and how this is applied to appointments to committees and sub-committees of the Council.
5. The rules for securing political balance on committees and sub-committees appointed by local authorities are contained in sections 15 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations 1990.
6. The Council is under a duty to:

- (a) Ensure that the membership of those committees and sub-committees covered by the rules reflect the political composition of the Council, as far as practicable.
- (b) Review the allocation of seats to political groups at or as soon as practical after the Annual Council meeting and at certain other specified times for example, as a result of changes in political balance or an increase in the number of committees established.
- (c) Allocate seats on the committees to the political groups in proportion to their numerical strength on the Council, as far as practicable;
- (d) Accept nominations made by the groups for the filling of seats allocated to them.
7. In determining the allocation of seats, the Council must also apply the following four principles, as far as reasonably practicable:
- (a) Not all seats to be allocated to the same political group;
- (b) If a political group has a majority on the Council, it must have a majority of seats on committees;
- (c) Subject to (a) and (b) above, the total of all seats on ordinary committees be allocated to the groups in proportion to their respective strengths on the Council and
- (d) Subject to (a) to (c) above the number of seats on ordinary committees or sub-committees to be allocated to each political group in proportion to the number of all the seats on the committee or sub-committee in proportion to their respective strengths on the Council.
8. Independent Members who have not formed a political group in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations, are to be allocated in accordance with section 16 (3) of the Regulations: i.e. any seats not allocated according to the requirements in section 15 and 16 of the Act, to be allocated to members who are not members of any political group.
9. Certain committees of the Council are exempt from the requirements relating to political balance as they are established under separate legislation. For this reason the following committees are not covered by the recommendations of this report. Where places are not reserved for particular members for example by virtue of their title or position, those remaining places have been allocated in accordance with the numbers shown in Table 3. These committees include:
- The Executive
 - All Executive committees, sub-committees, working groups
 - South Tees Health and Wellbeing Board
 - Licensing Sub-Committees with the exception of the Licensing Sub-Committee (General) when dealing with licences under the Scrap Metal Dealers Act 2013.

10. Additionally, where meetings are (a) advisory in nature or (b) where the Council has determined otherwise, and no Member has voted against, the political balance requirements need not apply. However the Monitoring Officer has been advised that one of the Minority Groups and an Independent Councillor have indicated that they do not wish to waive political balance in respect of any of the Council Committees. The figures for seats on Committees have therefore been calculated on the basis that political balance will not be waived.
11. The total number of places on committees is therefore 171 places and these will be allocated in a manner that reflects the overall political balance of the Council.
12. The calculations relating to the allocation of the 171 places on those committees to be subject to political balance rules are attached at Appendix 1.
13. As will be seen from Table 4 in Appendix 1, the outcome of applying the required method of calculation would result in the following:

Labour - 116 seats

Conservative - 18 seats

Middlesbrough Independent Councillors Association (MICA) - 18 seats

14. This leaves 19 unallocated places available for those Members not in a political group. Members have been asked to identify their preference for seats on available committees.
15. In line with usual practice, it is recommended that the Monitoring Officer be authorised to amend memberships of committees following resignations received from members and to appoint to vacancies in accordance with group preferences or, where not in a group, in accordance with individual Member's wishes. However, where more than one person (non- group members) applies for the same place, they should decide amongst themselves how those places should be allocated. If agreement cannot be reached between the individual Members, the Council will make that determination.
16. In order to avoid the need to completely recalculate all committee memberships in the case of an ad hoc (or other) committees being established prior to the next review, it is proposed that any committees or sub-committees be appointed on the basis of the places shown in Table 3 attached.

Other potential decisions and why these have not been recommended

17. No other options were considered.

Impact(s) of recommended decision(s)

Legal

18. The Council must adhere to the Local Government (Committees and Political Groups) Regulations 1990.

Financial

19. Not applicable

The Mayor's Vision for Middlesbrough

20. The report is line with the Mayor's vision for Middlesbrough

Policy Framework

21. The report does not impact on the overall budget and policy framework.

Wards

22. The report does not impact on wards

Equality and Diversity

23. An Impact Assessment has not been completed, as the changes will not adversely impact on any individual group.

Risk

24. Not applicable.

Actions to be taken to implement the decision(s)

25. Allocate places on Committees in accordance with Local Government legislation.

Appendices

Spreadsheet

Background papers

Local Government (Committees and Political Groups) Regulations 1990

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Step 1 - Total places on those committees subject to rules of proportionality

Table 1

Name of Committee	Places
Corporate Affairs & Audit Committee	7
Licensing Committee	14
Overview & Scrutiny Board	13
Ad-Hoc Scrutiny Panel	9
Adult Social Care and Services Scrutiny Panel	9
Children & Young People's Learning Scrutiny Panel	9
Children & Young People's Social Care Services Scrutiny Panel	9
Culture and Communities Scrutiny Panel	9
Economic Development, Environment & Infrastructure Scrutiny Panel	9
Health Scrutiny Panel	9
Planning & Development Committee	10
Staff Appeals Committee	9
Standards Committee	9
Teesside Pension Fund Committee	9
Chief Officer Appointments Committee	7
Corporate Health and Safety Committee	10
Teesside Pension Board	1
Works Council	10
Constitution and Members' Development Committee	9
Total	171

Step 2 - Calculate overall proportionality for all eligible committees (i.e. politically balanced)

Total Places:

171

Formula: (Number in Group x Number of Committee Places) ÷ Total number of members:

47

Table 2

<u>Group</u>	-	<u>Number in group</u>	<u>Allocation of places</u>	<u>Number of places (rounded)</u>
Labour		32	116.43	116
Conservative		5	18.19	18
Middlesbrough Independent Councillors Association		5	18.19	18
<i>Unallocated*</i>		5		19
Total		47		171

* Do not count as a group

Step 3 - Political balance according to size of committee

Formula: (Number in group x number on committee) ÷ number of members:

47

Table 3

Size of committee	Labour Group		Conservative Group		Middlesbrough Independent Councillors Association		Unallocated
	32	5	5	5	5	5	
1	1	0.68	0	0.11	0	0.11	0
3	2	2.04	0	0.32	0	0.32	1
4	3	2.72	0	0.43	0	0.43	1
5	3	3.40	1	0.53	1	0.53	0
6	4	4.09	1	0.64	1	0.64	0
7	5	4.77	1	0.74	1	0.74	0
8	5	5.45	1	0.85	1	0.85	1
9	6	6.13	1	0.96	1	0.96	1
10	7	6.81	1	1.06	1	1.06	1
11	7	7.49	1	1.17	1	1.17	2
12	8	8.17	1	1.28	1	1.28	2
13	9	8.85	1	1.38	1	1.38	2
14	10	9.53	1	1.49	1	1.49	2
15	10	10.21	2	1.60	2	1.60	1
16	11	10.89	2	1.70	2	1.70	1

Step 4 - Apply figures in Table 3 to each committee

Table 4

	Total	Lab	Cons	MICA	Unallocated
Corporate Affairs & Audit Committee	7	5	1	1	0
Licensing Committee	14	10	1	1	2
Overview & Scrutiny Board	13	9	1	1	2
Ad-Hoc Scrutiny Panel	9	6	1	1	1
Adult Social Care and Services Scrutiny Panel	9	6	1	1	1
Children and Young People's Learning Scrutiny Panel	9	6	1	1	1
Children & Young People's Social Care Services Scrutiny Panel	9	6	1	1	1
Culture and Communities Scrutiny Panel	9	6	1	1	1
Economic Development, Environment & Infrastructure Scrutiny Panel	9	6	1	1	1
Health Scrutiny Panel	9	6	1	1	1
Planning & Development Committee	10	7	1	1	1
Staff Appeals Committee	9	6	1	1	1
Standards Committee	9	6	1	1	1
Teesside Pension Fund Committee	9	6	1	1	1
Chief Officer Appointments Committee	7	5	1	1	0
Corporate Health and Safety Committee	10	7	1	1	1
Teesside Pension Board	1	1	0	0	0
Works Council	10	7	1	1	1
Constitution and Members' Development Committee	9	6	1	1	1
Totals	171	117	18	18	18
Total Allocation Allowed (as per Step 2 above)		116	18	18	19
ADJUSTMENT REQUIRED		-1	0	0	1

