COUNCIL	Agenda Item 6
13 May 2010	Brighton & Hove City Council

Subject:		**Review of Political Balance and Appointment of Committees, Sub-Committees, Forums and Outside Bodies.**
Date of Meeting:		**13 May 2010**
Report of:		**Chief Executive**
Contact Officer:	Name:	**Mark Wall** **Tel: 291006**
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Wards Affected:	All	

For General Release

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The Council is required at, or as soon as practicable after, each Annual Meeting of the Council to review the allocation of seats to political groups.

1.2 The purpose of this report is to appoint or re-appoint the Committees and Forums of the Council and membership thereof and to consider and appoint representatives to various Outside Bodies for the ensuing municipal year or in accordance with the period of office for the respective Body.

2. RECOMMENDATIONS

2.1 That the allocation of seats as detailed in the report and in appendix 1 to the report be approved;

2.2 That accordingly, the council appoints/re-appoints its Committees with the sizes and allocation of seats between political groups as set out in Appendix 1 to the report;

2.3 That having received nominations to the Committees from the Chief Whips of the 4 political groups, as detailed in appendix 2 to the report, (to be circulated separately), such nominations be agreed and the committee places filled accordingly;

2.4 That in having regard to 2.3 above, those Members listed as Chairman, Deputy Chairman and Opposition Spokesperson of the respective Committees and Sub-Committees in appendix 2 (to be circulated separately) be appointed to those positions;

2.5 That in having regard to 2.2 above, an urgency sub-committee for each Committee be appointed in accordance with Procedure Rule 22;

2.6 Note that in having regard to the Council's constitution and the adoption of the Leader & Cabinet model under the provisions of the Local Government & Public Involvement in Health Act 2007, the Leader of the Council shall appoint members/representatives to various bodies listed in Appendix 3 (being appointments that are the responsibility of the Executive and circulated separately).

2.7 That having received nominations for the appointments to the list of Outside Bodies from the Chief Whips of the 4 political groups as detailed in appendix 4 to the report, (to be circulated separately), such appointments be agreed;

3. BACKGROUND/INFORMATION

3.1 The political composition of the Council is Conservative (25 Members), Labour (13 Members), Green (13 Members), Liberal Democrat (2 Members) and Independent (1 Member); Section 15(1) of the Local Government & Housing Act 1989 requires the Council to review the representation of the different political groups on committees and sub-committees:

- At, or as soon as practicable after, the Annual Meeting of the Council or,
- Where notice is received of a change in the composition of political groups.

3.2 The Chief Executive is under a duty; whenever such a review takes place, to submit a report to the Council showing what allocation of seats would in his/her opinion best meet the requirements of Section 15 of the 1989 Act.

3.3 The Council's duty to determine the allocation of seats is prescribed by Section 15 of the Local Government & Housing Act 1989 (specifically sub-sections (3) to (5). These do not impose any specific requirement on the Council to consult the political groups as to which committee seats should be allocated to which group – this only applies to the actual appointment of Members to particular seats once they are allocated to political groups.

3.4 It is clearly preferable if all Groups have an agreed position as to which committee allocations are to be adjusted, provided that the agreed position does not conflict with the Council's duty, which is "to make **only** such determinations as give effect, so far as reasonably practicable, to the principles specified in sub-section (5)."

3.4.1 In summary, these principles of determination ("principles"), are that:

(a) All seats are not allocated to the same Group,

(b) The majority of the seats go the Group (if any) which has an overall majority on the Council (i.e. more than 27 seats),

(c) Subject to the above two principles, that the number of seats on the total of all the committees/sub-committees allocated to each Group bears the same proportion to the proportion on the Full Council, and

(d) Subject to (a) and (c), that the number of seats on each committee/sub-committee allocated to each Group bears the same proportion to the proportion on the Full Council.

Overall Political Group split on the Council

3.5 The political groups have the following seats on the Council:

Party	Seats	Calculation	%
Conservative	25	25/54	46.29
Labour	13	13/54	24.07
Green	13	13/54	24.07
Lib Dem	2	2/54	3.70

3.6 There is also one Independent Member on the Council and it has been a convention to allocate available seats on committees/sub-committees to such Members if any remain available following the allocations to the respective Groups.

Independent	1	1/54	1.85
Total		**54**	**99.98%**

Committee Sizes

3.7 The total number of committee places used for the determination of the allocation of seats to the political groups is 97 as detailed in appendix 1. (Note that the Political Balance Regulations do not apply to the Licensing Committee (2003 Act) and therefore only the 15 seats for the Licensing Committee are included in the 97 seats to be allocated).

3.8 The proposed allocation of places on each of the committees as detailed in Appendix 2 to the report takes into account the principles referred to in paragraph 3.4.1 in that:

(a) The Conservative Group's overall allocation equals 45 seats,
(b) The Labour Group's overall allocation equals 24 seats,
(c) The Green Group's overall allocation equals 23 seats,
(d) The Liberal Democrat Group's overall allocation equals 4 seats,
(e) The Independent Member's overall allocation equals 1 seat.

3.9 In seeking to allocate the 97 seats, 95 can be allocated across the 4 Political Groups proportionately, and with one then being made available to the Independent Member, one seat remains. In this instance the remaining seat has been allocated to the Labour Group, on the basis that it had been offered to the Green Group during the last municipal year.

4. CONSULTATION

4.1 The Leaders of the four political groups have been consulted on the proposed allocations and notification of nominations for committee membership and appointments to outside bodies will be provided after the respective Annual Group

Meetings. Details of these nominations will be listed in appendices 2 and 4, which will be tabled at the Council meeting.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 There are no financial implications other than in relation to the payment of special responsibility allowances to the respective post holders.

Finance Officer Consulted: *Anne Silley* *Date: 29 April 2010*

Legal Implications:

5.2 The proposals in this report comply with the requirements of the Local Government & Housing Act 1989.

There are no specific issues relevant to the Human Rights Act arising from the report.

Lawyer Consulted: Abraham Ghebre-Ghiorghis *Date: 29 April 2010*

Equalities Implications:

5.3 There are no equalities implications arising from the report.

Sustainability Implications:

5.4 There are no sustainability implications arising from the report.

Crime & Disorder Implications:

5.5 There are no specific implications arising from the report.

Risk and Opportunity Management Implications:

5.6 There are no specific implications arising from the report.

Corporate / Citywide Implications:

5.7 There are no specific implications arising from the report.

SUPPORTING DOCUMENTATION

Appendices

Appendix 1 - Committee seat allocations;
Appendix 2 - Chairmen, Deputy Chairmen, Opposition Spokespersons and Committee membership nominations;
Appendix 3 - Leader's appointments;
Appendix 4 - Outside Bodies' nominations.

Documents in Members' Rooms

1. None

Background Documents

1. Local Government & Housing Act 1989
2. Local Government & Public Involvement in Health Act 2007