

Brighton & Hove City Council

Council

Agenda Item 82

Subject: Review of Political Balance 2025/26

Date of meeting: 29 January 2026

Report of: Chief Executive

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Ward(s) affected: All

For general release

Note: Urgency

By reason of the special circumstances below, and in accordance with section 100B(4)(b) of the 1972 Act, the Chair of the meeting has been consulted and is of the opinion that this item should be considered at the meeting as a matter of urgency.

Note: Reasons for urgency

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that ongoing discussions with the Groups were not concluded in time for the report to be included in the agenda.

1. Purpose of the report and policy context

- 1.1 The Council is required to review the allocation of seats on Committees and Sub Committees where there is a change to the membership of the political groups in accordance with Section 15 of the Local Government and Housing Act 1989.
- 1.2 The purpose of this report is to appoint and/or re-appoint the Committees, Sub-Committees, Joint Committees, Boards, Forums and Panels of the Council and membership thereof and to appoint council representatives to various outside bodies for the 2025/26 municipal year.

2. Recommendations

- 2.1 That 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.
- 2.2 That having received nominations to the committees from the 4 political groups, as detailed in Appendix 2 to the report, such nominations be agreed, and the committee places filled accordingly.

- 2.3 That Councillor Tobias Sheard be appointed as Deputy Chair of Planning Committee.
- 2.4 That Councillor Kerry Pickett be appointed to the Planning Committee.
- 2.5 That Council appoints/reappoints Members/representatives to various bodies as listed in Appendix 3 of the report.
- 2.6 That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the recommendations in this report and that the Monitoring Officer be authorised to amend and republish the Council's constitutional documents to incorporate the changes.

3. Context and background information

- 3.1 In January 2026, the Chief Executive, acting as the proper officer, received notification that Councillor Bruno De Oliveira, an Independent Member, had joined the Green Group. The political composition of the Council is therefore now: Labour (34 Members), Green (10 Members), Conservative (5 Members), Brighton & Hove Independent Group (2 Members) and 3 Independent Members. 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 duty, whenever such a review takes place, to submit a report to the Council showing what allocation of seats would in their 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 section (3) to (5)). The legislation does 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 to the Group (if any) which has an overall majority on the Council (i.e. more than 27 seats),
- c) In accordance with the two principles stated above, the total number of seats assigned to each Group across all committees and sub-committees should reflect their proportionate representation on the Full Council and
- d) Subject to provisions (a) and (c), the allocation of seats on each committee or sub-committee to each Group shall reflect the proportionate representation of that Group on the Full Council.

Overall Political Group split on the Council

- 3.5 The political groups have the following seats on the Council and there are 63 seats across all committees to be allocated:

Party	Seats on the Council	Initial Allocation (rounded)	Initial Allocation
Labour	34	39.67 (40)	40
Green	10	11.67 (12)	12
Conservative	5	5.83 (6)	6
Brighton & Hove Independents	2	2.33 (2)	2
Independent	1	1.17 (1)	1
Independent	1	1.17 (1)	1
Independent	1	1.17 (1)	1
Total	54		63

Committee Sizes and Review of Committees

- 3.6 The total number of Committee places (excluding sub-committees) used for the determination of the allocation of seats to the political groups is 63 as detailed in Appendix 1. (Note that the Political Balance Regulations do not apply to the Cabinet, Licensing Committee (2003 Act) or the Health and Wellbeing Board).
- 3.7 The proposed allocation of places on each of the committees as detailed in Appendix 1 of the report takes into account the principles referred to in paragraph 3.4.1 in that:
- a) The Labour Group's overall allocation equals 40 seats,
 - b) The Green Group's overall allocation equals 12 seats,
 - c) The Conservative Group's overall allocation equals 6 seats,
 - d) The Brighton & Hove Independents equals 2 seats and
 - e) That in having regard to the convention that the Council has abided to whenever there has been an Independent Member, one seat is offered to each of the 3 Independent Members.
- 3.8 The allocations in 3.7 above provide the Labour Group, Green Group, Conservative Group and Brighton & Hove Independent Groups with

allocations in accordance with their initial calculations. This outcome incorporates the Council's decision to offer 1 seat to each of the 3 Independent Members and ensures that all committees have a full membership.

4. Analysis and consideration of alternative options

- 4.1 The proposed committee allocations have been raised with the respective Group Leaders and are in keeping with the Regulations governing the political balance of committees.

5. Community engagement and consultation

- 5.1 The Leaders of the four political groups have been consulted on the proposed allocations.

6. Financial implications

- 6.1 There are no financial implications arising from the recommendations of this report.

Name of finance officer consulted: Ishemupenyu Chagonda Date consulted 21.01.26

7. Legal implications

- 7.1 The proposals in this report comply with Section 15(1) of the Local Government & Housing Act 1989, which sets out the duty and principles regarding the allocation of seats to political groups.

Name of lawyer consulted: Elizabeth Culbert Date consulted: 21.01.26

8. Risk implications

- 8.1 The risk implications of not supporting the requested decisions would be a breach of statutory duty to comply with the requirements of the Local Government & Housing Act 1989 as set out in paragraph 3.3 of the report and could expose the council to legal challenges or intervention the Secretary of State.
- 8.2 Decisions made by committees/sub committees could be challenged if those meetings are deemed to be unlawfully constituted.
- 8.3 Lack of political balance may lead to accusations of bias, undermining trust in the decision-making processes of the Council.
- 8.4 To address risks of non-compliance with the requirements of the Act consultations on the proposed allocations of seats were held in advance with all four political group leaders represented on the council.

9. Equalities implications

- 9.1 The Regulations provide for the distribution of seats amongst the political groups on an equitable basis.

10. Sustainability implications

- 10.1 There are no sustainability issues arising from the report.

11. Conclusion

- 11.1 Having taken into consideration the number of committees and seats available for the distribution of places between the four Groups represented on the Council, the allocations proposed are considered to be the most compatible with the requirement of the Regulations.

Supporting Documentation

1. Appendices

Appendix 1 - Committee seat allocations

Appendix 2 - Committee membership nominations;

Appendix 3 - Appointments to Council, Outside Bodies and Partnerships

