

Brighton & Hove City Council

Council

Agenda Item 25

Subject: Review of Political Balance 2026/27

Date of meeting: 23 July 2026

Report of: Chief Executive

Contact Officer: Name: Anthony Soyinka
Tel: 01273 29 1006
Email: Anthony.soyinka@brighton-hove.gov.uk

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 review the allocation of seats following a by-election in Goldsmid ward in June 2026.
- 1.3 The report also seeks Council approval to appoint Members to the Sussex & Brighton Strategic Authority's Audit & Governance Committee and Overview & Scrutiny Committee, having regard to the guidance issued by the Strategic Authority on the skills, independence, experience and relevant committee background required for those appointments.

2. Recommendations

- 2.1 That Council 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 Councillor Nadia Barton Ahmad be appointed to the People Overview & Scrutiny Committee.
- 2.3 That Council appoints three Members to the Sussex & Brighton Strategic Authority Audit & Governance Committee and three Members to the Sussex & Brighton Strategic Authority Overview & Scrutiny Committee as set out at Appendix 2
- 2.4 That Council notes the in-year changes to appointments following consultation with the Leader, made under delegated powers as set out at Appendix 2.

3. Context and background information

- 3.1 In June 2026 Councillor Nadia Barton Ahmad (Green) was elected as a member for Goldsmid ward. The political composition of the Council is therefore now Labour (33 Members), Green (11 Members), Conservative (5 Members), Brighton & Hove Independents (2 Members), 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 a 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) 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 and there are 63 seats across all committees to be allocated:

Party	Members on the Council	Post by election Allocation (rounded)	Initial Allocation
Labour	33	38.50 (39)	39
Green	11	12.83 (13)	13
Conservative	5	5.83 (6)	6
Brighton & Hove Independents	2	2.33 (2)	2
Independent	1	1.16 (1)	1
Independent	1	1.16 (1)	1
Independent	1	1.16 (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 2 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 39 seats,
 - b) The Green Group's overall allocation equals 13 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 will leave all Groups represented on the Council with allocations in accordance with their initial calculations. The 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.

Sussex & Brighton Strategic Authority

- 3.9 At the Annual Meeting of the Sussex & Brighton Strategic Authority on 1 July 2026, it was agreed that each constituent council would appoint three members to the Audit & Governance Committee and three members to the Overview & Scrutiny Committee. It was also agreed that appointments should have regard to the guidance set out below.
- 3.10 Constituent councils are advised to appoint members who can demonstrate the skills, independence and commitment needed to strengthen the effectiveness of the Overview & Scrutiny Committee and provide robust, constructive challenge in support of better decision-making. As the intention is to develop a Sussex-wide approach to Overview and Scrutiny, requiring close working with scrutiny arrangements in each constituent council, councils are advised to appoint members from their own scrutiny functions.
- 3.11 The Audit & Governance Committee requires members who can provide independent challenge and support the effective governance of the Strategic Authority. Constituent councils are therefore requested to appoint members who serve on their own audit committee functions, or who have relevant interest or expertise in financial affairs and governance.
- 3.12 The Political Balance calculations have been undertaken by the Strategic Authority and this requires the appointment of 2 Labour Councillors and 1 Green Councillor for each Committee referred to above. The proposed appointments are set out at Appendix 2.

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 impacted Political Groups have been consulted and provided their nominations.

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:13/07/2026

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: 14/07/2026

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 - Appointments to Council, Outside Bodies and Partnerships

