

MIDDLESBROUGH COUNCIL

AGENDA ITEM 9

COMMITTEE REPORT

COUNCIL (ANNUAL)

11 MAY 2016

POLITICAL BALANCE ALLOCATION OF PLACES 2016

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PURPOSE OF THE REPORT

1. To recommend the allocation of places on committees and sub-committees for 2016 in accordance with the political balance of the Council.

BACKGROUND

2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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
 - 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.
8. 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. It is recommended that the requirements in relation to political balance are waived in respect of the following committees:
- (a) Corporate Health and Safety Committee
Local Pensions Board
Works Council
 - (b) Chief Officer Appointments Committee
Constitution and Members' Development Committee
9. If agreed, this will leave a total of **136** places on committees and sub-committees to be allocated in a manner that reflects the overall political balance of the Council.

10. The calculations relating to the allocation of the **136** places on those committees to be subject to political balance rules are attached at Appendix 1.
11. 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 | 98 seats |
| Conservative | 12 seats |
| Middlesbrough Independent Councillors Association (MICA) | 12 seats |
| Marton Independent Group | 6 seats |
12. This leaves 8 unallocated places available for those Members not in a political group. Members have been asked to identify their preference for seats on available committees.
13. 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.
14. 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.

RECOMMENDATIONS

16. (i) That political balance is waived in respect of the committees referred to in paragraph 8.
- (ii) That the allocation of seats on committees that are subject to the rules relating to political balance is approved as follows:
- | | |
|--|----------|
| Labour | 98 seats |
| Conservative | 12 seats |
| Middlesbrough Independent Councillors Association (MICA) | 12 seats |
| Marton Independent Group | 6 seats |
| Independents | 8 seats |
- (iii) That the Monitoring Officer be authorised to fill the unallocated seats as indicated in paragraph 13 and make any necessary further adjustments to remove or replace members where directed by the relevant group or member.

- (iv) That any committee established prior to the next review be appointed on the basis of the places shown in Table 3 attached.

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 AND AUDIT COMMITTEE	7
LICENSING COMMITTEE	14
OVERVIEW AND SCRUTINY BOARD	13
AD HOC SCRUTINY PANEL	9
CHILDREN AND LEARNING SCRUTINY PANEL	9
COMMUNITY SAFETY AND LEISURE SCRUTINY PANEL	9
ECONOMIC REGENERATION AND TRANSPORT SCRUTINY PANEL	9
ENVIRONMENT SCRUTINY PANEL	9
HEALTH SCRUTINY PANEL	9
SOCIAL CARE AND ADULT SERVICES SCRUTINY PANEL	9
PLANNING AND DEVELOPMENT COMMITTEE	10
STAFF APPEALS COMMITTEE	9
STANDARDS COMMITTEE	9
TEESSIDE PENSION FUND AND INVESTMENT PANEL	11
TOTAL	136

STEP 2: CALCULATE OVERALL PROPORTIONALITY FOR ALL ELIGIBLE COMMITTEES
(i.e. Politically Balanced)

Total places **136**

Formula:

Number in Group x Number of Committee Places ÷ Total number of Members (47)

Table 2

GROUP	No. in Group	Allocation of Places	No of places (Rounded)
Labour	34	98.38	98
Conservative	4	11.57	12
Middlesbrough Independent Councillors Association (MICA)	4	11.57	12
Marton Independent Group	2	5.79	6
Unallocated*	3		8
Total	47		136

*Independents: Do not count as a Group

STEP 3: POLITICAL BALANCE ACCORDING TO SIZE OF COMMITTEE

Formula:

Number in Group x number on committee ÷ total number of Members (47)

Table 3

Size of Cttee	Labour Group		Conservative Group		Middlesbrough Independent Councillors Association (MICA)		Marton Independent Group		Unallocated
		34		4		4		2	
3	2	2.17	0	0.26	0	0.26	0	0.13	1
4	3	2.89	0	0.34	0	0.34	0	0.17	1
5	4	3.62	0	0.43	0	0.43	0	0.21	1
6	4	4.34	1	0.51	1	0.51	0	0.26	0
7	5	5.06	1	0.60	1	0.60	0	0.30	0
8	6	5.79	1	0.68	1	0.68	0	0.34	0
9	7	6.51	1	0.77	1	0.77	0	0.38	0
10	7	7.23	1	0.85	1	0.85	0	0.43	1
11	8	7.96	1	0.94	1	0.94	0	0.47	1
12	9	8.68	1	1.02	1	1.02	1	0.51	0
13	9	9.40	1	1.11	1	1.11	1	0.55	1
14	10	10.13	1	1.19	1	1.19	1	0.60	1
15	11	10.85	1	1.28	1	1.28	1	0.64	1
16	12	11.57	1	1.36	1	1.36	1	0.68	1

STEP 4: APPLY FIGURES IN TABLE 3 TO EACH COMMITTEE

Table 4

	Total	Labour	Cons	MICA	MIG	Unallocated
CORPORATE AFFAIRS AND AUDIT COMMITTEE	7	5	1	1	0	0
LICENSING COMMITTEE	14	10	1	1	1	1
OVERVIEW AND SCRUTINY BOARD	13	9	1	1	1	1
AD HOC SCRUTINY PANEL	9	7	1	1	0	0
CHILDREN AND LEARNING SCRUTINY PANEL	9	7	1	1	0	0
COMMUNITY SAFETY AND LEISURE SCRUTINY PANEL	9	7	1	1	0	0
ECONOMIC REGENERATION AND TRANSPORT SCRUTINY PANEL	9	7	1	1	0	0
ENVIRONMENT SCRUTINY PANEL	9	7	1	1	0	0
HEALTH SCRUTINY PANEL	9	7	1	1	0	0
SOCIAL CARE AND ADULT SERVICES SCRUTINY PANEL	9	7	1	1	0	0
PLANNING AND DEVELOPMENT COMMITTEE	10	7	1	1	0	1
STAFF APPEALS COMMITTEE	9	7	1	1	0	0
STANDARDS COMMITTEE	9	7	1	1	0	0
TEESSIDE PENSION FUND AND INVESTMENT PANEL	11	8	1	1	0	1
TOTALS	136	102	14	14	2	4
TOTAL ALLOCATION ALLOWED (as per Step 2 above)		98	12	12	6	8
ADJUSTMENT REQUIRED		-4	-2	-2	4	4