

MIDDLESBROUGH COUNCIL

AGENDA ITEM 11

COMMITTEE REPORT

COUNCIL

26 JULY 2017

POLITICAL BALANCE ALLOCATION OF PLACES 2017

BRYN ROBERTS, MONITORING OFFICER

PURPOSE OF THE REPORT

1. Following the recent two by-elections, to recommend the allocation of vacant places on committees and sub-committees for 2017 in accordance with the revised 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. At the Annual Meeting of the Council held on 31 May, a representation was received in relation to the waiving of political balance in respect of Council Committees and as a consequence the Monitoring Officer had produced revised political balance calculations.

The revised table showed that the total number of places on committees had risen from 136 to 173. Members were requested to note the revised political balance and agree nominations for any vacancies at a future meeting.
9. In addition, the Monitoring Officer had been advised that the Marton Independent Group had been disbanded and the two former Members of that group were now considered as Independent Members.

10. 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	118 seats
Conservative	18 seats
Middlesbrough Independent Councillors Association (MICA)	18 seats

11. This left **19** unallocated places available for those Members not in a political group, and following resignations from some of the Committees, 8 vacancies for independent members for seats on committees remained. 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 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 & Audit Committee	7
Licensing Committee	14
Overview & Scrutiny Board	13
Ad-Hoc Scrutiny Panel	9
Children & Learning Scrutiny Panel	9
Community Safety & Leisure Scrutiny Panel	9
Economic Regeneration & Transport Scrutiny Panel	9
Environment Scrutiny Panel	9
Health Scrutiny Panel	9
Social Care & Adult Services Scrutiny Panel	9
Planning & Development Committee	10
Staff Appeals Committee	9
Standards Committee	9
Teesside Pension Fund & Investment Panel	11
Chief Officer Appointments Committee	7
Corporate Health and Safety Committee	10
Local Pensions Board	1
Works Council	10
Constitution and Members' Development Committee	9
Total	173

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

Total Places:					173
Formula: (Number in Group x Number of Committee Places) ÷ Total number of members:					47
<u>Table 2</u>					
<u>Group</u>		<u>Number in group</u>	<u>Allocation of places</u>	<u>Number of places (rounded)</u>	
Labour		32	117.79	118	
Middlesbrough Independent Councillors Association		5	18.40	18	
Conservative		5	18.40	18	
<i>Unallocated*</i>		5		19	
Independents	3				
Total		47		173	
* 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

Formula:	(Number in group x number on committee) ÷ total number of members: 47										
Table 3											
Size of committee	Labour Group		Middlesbrough Independent Councillors Association		Conservative Group		Marton Independent Group		Unallocated		
	32		5		5		0		0		
1	1	0.68	0	0.11	0	0.11	0	0.00	0	0.00	0
3	2	2.04	0	0.32	0	0.32	0	0.00	0	0.00	1
4	3	2.72	0	0.43	0	0.43	0	0.00	0	0.00	1
5	3	3.40	1	0.53	1	0.53	0	0.00	0	0.00	0
6	4	4.09	1	0.64	1	0.64	0	0.00	0	0.00	0
7	5	4.77	1	0.74	1	0.74	0	0.00	0	0.00	0
8	5	5.45	1	0.85	1	0.85	0	0.00	0	0.00	1
9	6	6.13	1	0.96	1	0.96	0	0.00	0	0.00	1
10	7	6.81	1	1.06	1	1.06	0	0.00	0	0.00	1
11	7	7.49	1	1.17	1	1.17	0	0.00	0	0.00	2
12	8	8.17	1	1.28	1	1.28	0	0.00	0	0.00	2
13	9	8.85	1	1.38	1	1.38	0	0.00	0	0.00	2
14	10	9.53	1	1.49	1	1.49	0	0.00	0	0.00	2
15	10	10.21	2	1.60	2	1.60	0	0.00	0	0.00	1
16	11	10.89	2	1.70	2	1.70	0	0.00	0	0.00	1

STEP 4: APPLY FIGURES IN TABLE 3 TO EACH COMMITTEE

Table 4

Table 4						
	Total	Lab	MICA	Cons	MIG	Unallocated
Corporate Affairs & Audit Committee	7	5	1	1	0	0
Licensing Committee	14	10	1	1	0	2
Overview & Scrutiny Board	13	9	1	1	0	2
Ad-Hoc Scrutiny Panel	9	6	1	1	0	1
Children & Learning Scrutiny Panel	9	6	1	1	0	1
Community Safety & Leisure Scrutiny Panel	9	6	1	1	0	1
Economic Regeneration & Transport Scrutiny Panel	9	6	1	1	0	1
Environment Scrutiny Panel	9	6	1	1	0	1
Health Scrutiny Panel	9	6	1	1	0	1
Social Care & Adult Services Scrutiny Panel	9	6	1	1	0	1
Planning & Development Committee	10	7	1	1	0	1
Staff Appeals Committee	9	6	1	1	0	1
Standards Committee	9	6	1	1	0	1
Teesside Pension Fund & Investment Panel	11	7	1	1	0	2
Chief Officer Appointments Committee	7	5	1	1	0	0
Corporate Health and Safety Committee	10	7	1	1	0	1
Local Pensions Board	1	1	0	0	0	0
Works Council	10	7	1	1	0	1
Constitution and Members' Development Committee	9	6	1	1	0	1
Totals	173	118	18	18	0	19
Total Allocation Allowed (as per Step 2 above)		118	18	18	0	19
ADJUSTMENT REQUIRED		0	0	0	0	0