

**COUNCIL**

Wednesday, 24 January 2018

**POLITICAL PROPORTIONALITY OF THE COUNCIL AND APPOINTMENTS TO THE AUDIT & GOVERNANCE COMMITTEE (REP1739)**

**EXECUTIVE SUMMARY**

1. To consider a report which outlines the revised overall political balance of Waveney District Council and to seek approval for the revised representation on the Council's Committees.
2. To consider the membership of the Audit & Governance Committee.

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	All Wards in the District
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<b>Cabinet Member:</b>	Councillor Mark Bee Leader of the Council
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<b>Supporting Officer:</b>	Nicola Wotton Democratic Services Manager 01502 523241 <a href="mailto:nicola.wotton@eastsoffolk.gov.uk">nicola.wotton@eastsoffolk.gov.uk</a>
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## 1 INTRODUCTION

- 1.1 Member appointments to Committees are made annually as part of the Council's corporate governance arrangements in support of the democratic process and to provide a mechanism for decisions to be made that have been reserved by law for such bodies to make or are functions under the Council's Constitution that have not been delegated to officers to decide. Appointments to Committees for the 2017/18 municipal year were agreed at the Annual Council meeting held on 17 May 2017.
- 1.2 Members who are appointed to Council Committees will be expected to have received appropriate development / training to enable them to carry out their roles effectively on whichever body they serve.

## 2 POLITICAL COMPOSITION OF THE COUNCIL

### Previous Overall Political Composition of the Council

- 2.1 The Council is comprised of 48 Councillors in total. The previous overall political composition of the Council as at 17 May 2017 was:

Conservative Group	- 27
Labour Group	- 17
Independent Members	- 3
Green Party Member	- 1
<b>Total</b>	<b>- 48</b>

### Current Overall Political Composition of the Council

On the 22 September 2017, Councillors Louisa Harris-Logan and Steve Logan resigned from the Labour Party, with immediate effect. A by-election was held in the Kirkley and St Margaret's Wards in Lowestoft on 16 November 2017. Councillor Peter Byatt was elected as a Labour Councillor to the Kirkley Ward, whilst Councillor Linda Coulam was elected as a Conservative Councillor to the St Margaret's Ward. The revised political balance of the Council is now shown below:

Conservative Group	- 28
Labour Group	- 16
Independent Members	- 3
Green Party Members	- 1
<b>Total</b>	<b>- 48</b>

- 2.2 The overall political composition of the Council must be reflected in the appointment of Members to Committees and Sub-Committees, in accordance with the political proportionality rules laid out in the Local Government & Housing Act 1989.
- 2.3 Following any change in overall political balance, the authority is required to undertake a review and to consider any implications for representation on the Council Committees.

### **3 INCREASE IN SIZE OF THE AUDIT & GOVERNANCE COMMITTEE**

- 3.1 At the Audit and Governance Committee meeting of 14 September 2017, the Chairman raised the risk of a non-quorate meeting, given the number of apologies received and lack of substitutions available. This was not the first time that there was a concern about a quorate meeting. The Chairman therefore requested a report be taken to Full Council, to consider the possibility of increasing the size of the Audit and Governance Committee membership.
- 3.2 At the Full Council meeting on 15 November 2017, Members considered a report, and duly approved the recommendations that the Audit & Governance Committee membership be increased from 7 to 9 Members, with immediate effect, and that the Council's Constitution be updated to reflect that change.
- 3.3 As a result of this change, the number of Committee places available has been increased from 51 to 53.

### **4 POLITICAL PROPORTIONALITY OF THE COUNCIL'S COMMITTEES**

- 4.1 There are currently 53 Committee places that need to be shared out on a politically proportionate basis. The results of the review of the political balance indicate the following:

The Conservative Group – increase by two seats

The Labour Group – no change

The Independent Members – no change

The Green Party Member – no change

- 4.2 In order to achieve both an overall political balance and, where possible, political balance on the Council's Committees, it is proposed that the following change should be made:

Audit & Governance Committee (now 9 Members)

- 4.3 The Conservative Group needs to gain two seats on this Committee. It is proposed that Councillors L Coulam and K Robinson be appointed to this Committee by the Conservative Group.
- 4.4 The Leader of the Labour Group has recently requested that there be a change to the Labour Group's representation on the Audit & Governance Committee. It is therefore proposed that Councillor P Byatt, replaces Councillor T Gandy on the Audit & Governance Committee with immediate effect.
- 4.5 It is proposed that there are no further changes to the Council's remaining Committees or Sub-Committees.

### **5 SUBSTITUTION ARRANGEMENTS**

- 5.1 Substitute representation is permitted within the Council's Constitution as part of the corporate governance arrangements in support of the democratic process and decision-making arrangements, which underpin the delivery of the Council's Strategic priorities, key themes and values, including those outlined in the East Suffolk Business Plan for 2015-2023.
- 5.2 Substitute Members may attend meetings to take the place of the ordinary Member (who will be absent for the whole of the meeting) for whom they are the designated substitute, by giving notice that they are a substitute by 12 noon on the day of the

meeting, either in writing or orally, to an Officer in the Council's Democratic Services Team.

- 5.3 The substitution arrangements currently in place for the Council's Committees were agreed at the Annual Council meeting on 17 May 2017.
- 5.4 Previously when allocating seats to each political group or to the Independent or Green Party Members, an allocation was given to the Independent Members and the Green Party Member on a 'shared basis' and these Members then agreed between themselves who would take up the allocated seats. For the purposes of calculating political balance on Committees and for Substitute purposes and given the basis for 'sharing seats', the Independent and Green Party Members are known as the 'Minority Opposition Group' and so the Substitution arrangements therefore applied to the Independent / Green Party Members, the same as it would for other political parties.
- 5.5 Given the political balance of the Council, it is proposed that the same principles for having an informal 'Minority Opposition Group' for the purposes of calculating political balance and Substitution arrangements will apply.

## **6 HOW DOES THIS RELATE TO EAST SUFFOLK BUSINESS PLAN?**

- 6.1 The Audit and Governance Committee's work is a cornerstone for good governance at the Council and as such feeds directly into the successful achievement of the entire East Suffolk Business Plan.

## **7 FINANCIAL AND GOVERNANCE IMPLICATIONS**

- 7.1 The Local Government & Housing Act 1989 requires that the overall political balance of the Council be reflected, where possible, in the appointment of Members to Committees and any Sub-Committees of the Council (known informally as the political balance rules).
- 7.2 Councillors are able to claim expenses for attending Council meetings which will be met from the Council's agreed Scheme of Members Allowances budget for 2017/18.
- 7.3 The appointment to Committees / Sub-Committees enables the work of the Council to be shared across all Council Members (where appropriate) and enables Councillors to undertake a range of duties that collectively underpin or deliver the democratic decision-making process within the Council.

## **8 OTHER KEY ISSUES**

- 8.1 Decisions are implemented in accordance with the Council's Constitution and statutory legislation. Appointments to Committees enable Members to carry out their community leadership role and in considering the issues before them, help build a stronger, healthier and just society.
- 8.2 The decision to constitute and appoint to Committees will not in itself lead to the tackling of inequality, disadvantage and discrimination (particularly for the most vulnerable) but they will provide the framework for those issues to be addressed when making decisions or reviewing policies / services.

## **9 CONSULTATION**

- 9.1 Consultation has been held with the Conservative Group Leader regarding the increase in entitlement to Committee seats.

9.2 The Labour Group Leader has advised that the Labour Group wished to make a change to their representation on the Audit & Governance Committee.

## **10 OTHER OPTIONS CONSIDERED**

10.1 None. The Council is statutorily required to undertake a review should the overall political balance of the Council change and to consider the impact of this on the Council's Committees and Sub-Committees to ensure that where possible they are also politically balanced.

## **11 REASON FOR RECOMMENDATION**

11.1 To ensure the Council's Committees are politically balanced following a change in the overall political balance of the Council and the increase in size of the Audit & Governance Committee.

### **RECOMMENDATIONS**

1. That the results of the review into the political proportionality of the Council and allocation of Committee seats on a politically proportionate basis be noted.
2. That Councillors L Coulam and K Robinson be appointed to the 2 additional seats on the Audit & Governance Committee from the Conservative Group.
3. That Councillor P Byatt replaces Councillor T Gandy as the Labour Group representative on the Audit & Governance Committee, with immediate effect.
4. That the Substitution arrangements for the Independent Members and Green Party Member as an informal 'Minority Opposition Group' be noted.

**APPENDICES – None**

**BACKGROUND PAPERS – None**