

London Borough of Hammersmith & Fulham

Report to: Full Council

Date: 20 October 2021

Subject: Allocation of Seats and Proportionality on Committees

Report of: The Leader of the Council - Councillor Stephen Cowan

Responsible Director: Rhian Davies, Director of Resources

Summary

The Council is asked to confirm the proportional division of committee seats following the by-election held in the Wormholt and White City ward on 23 September 2021.

Recommendations

1. That the allocation of seats, as set out in Appendix 1, be noted.
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Wards Affected: All

Our Values	Summary of how this report aligns to the H&F Values
Taking pride in H&F	Ensuring a high standard of governance across the Council.

Financial Impact

The cost of servicing these committees will be met through the existing budgets.

Legal Implications

The legal implications are set out in the body of the report.

Contact Officers:

Name: Kayode Adewumi

Position: Assistant Director – Democratic, Registration and Coroner’s Services

Telephone: 07899 661869
Email: Kayode.adewumi@lbhf.gov.uk

Name: Andre Mark
Position: Finance Business Partner
Telephone: 020 8753 6729
Email: Andre.mark@lbhf.gov.uk
Verified by Emily Hill, Director of Finance

Name: Adesuwa Omoregie
Position: Assistant Director, Legal Services
Email: adesuwa.omoregie@lbhf.gov.uk

Background papers used in preparing this report - None

Allocation of Seats

1. Political Groups on the Council are formed in accordance with the Local Government (Committees and Political Groups) Regulations 1990 when two or more councillors notify the Chief Executive, as Proper Officer, of their wish to be treated as a group.
2. Section 15 (1) (b) of the Local Government and Housing Act 1989 (“the 1989 Act”) imposes a duty on the local authority to review the allocation of seats on the committees of the Council between the political groups at its annual meeting or as soon as possible thereafter. The Council may carry out such a review at any other time and may do so if requested by a political group.
3. In accordance with the 1989 Act the following principles apply to the allocation of seats:
 - (a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
 - (b) That the majority of seats on each committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority’s membership;
 - (c) That, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority’s membership; and
 - (d) Subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group’s membership of the authority.
4. Sub-committees, with the exception of the Licensing Sub-Committee, are also governed by the political balance rules, but it is not necessary to add up all the

sub-committee seats and then allocate them in proportion. As far as this is practicable, the allocation of seats on each sub-committee should reflect the proportional representation of the political groups on the Council.

5. The 1989 Act requires that, once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.
6. The Cabinet, Health and Well Being Board and the Licensing Committee are not required to be proportional and so are outside of the political balance calculation.
7. It is open to the Council when carrying out a review to adopt some arrangement other than that prescribed by the Act and the Regulations. Notice of such a proposal would have to be given in the Summons, and a decision would need to be made with no one voting against it. The remainder of this report therefore assumes that the Council will not want an alternative arrangement to that prescribed by law.

Political proportionality

8. The political balance of the Council can be calculated by using the simple formula below (to two decimal places):

$$\text{No. of Group Members} \times 100 / 46$$

9. Following the elections held on 3 May 2018 and a by-election for Wormholt and White City on 23 September 2021, the political balance of the Council is set out in Table 1 below:

	No of seats on the Council	Proportionality
Labour	35	76.09
Conservative	11	23.91
Total	46	100

PROPOSAL AND ISSUES

10. The Labour and Conservative Groups hold, respectively, 35 and 11 of the 46 Council seats. The proportion by which seats on Committees should be allocated is 76.09% Majority Group and 23.91% Minority Group. This equates, on the basis of 80 committee seats, to 61 Majority Party and 19 Minority Party seats.
11. Membership of the Council's Standing Committees (except the Licensing Committee and the Health and Well Being Board) and Sub-Committees is governed by the Local Government (Committees and Political Groups) Regulations 1990, as amended, which provides for Members of Standing Committees and Sub-Committees to be those whose names have been notified to the Chief Executive, who is the duly appointed proper officer for

these purposes. The Chief Executive has the power to appoint to all Standing Committees (except the Licensing Committees) and Sub-Committees in accordance with any notification received under the Regulations.

12. Both political groups on the Council have to notify the Chief Executive of the names of the Members to serve on the Standing Committees, Sub-Committees and subsidiary bodies. A separate report on the Standing Committee memberships is set out later on the agenda.

REASONS FOR DECISION

13. The Local Government and Housing Act 1989 requires local authorities, where Members are divided into political groups, to review periodically the representation of the political groups on their Committees and Sub-Committees to ensure a political balance.

List of Appendices

Appendix 1 - Allocation of Seats

Appendix 1

Allocation of Seats and Proportionality

Seats are allocated with the following calculation:

$$\text{councillors in political group} \div \text{total number of councillors} \times \text{seats on committee} \\ = \text{allocation of seats (rounded to nearest whole number)}$$

Administration councillors (Labour): 35

Opposition councillors (Conservative): 11

Total number of councillors: 46

Committees	Total seats	Administration's allocation	Opposition's allocation
Planning and Development Control Committee	8	6	2
Appointments Panel (H&F)	5	4	1
Appointments Panel (Chief Exec)	12	9	3
Appointments Panel (Shared)	3	2	1
Audit Committee	6	4	2
Pension Fund Committee	6	5	1
Standards Committee	6	4	2
Finance, Commercial Revenue and Contracts PAC	5	4	1
Community Safety and Environment PAC	5	4	1
Children and Education PAC	5	4	1
The Economy, Housing and the Arts PAC	5	4	1
Health, Inclusion and Social Care PAC	5	4	1
Public Services Reform PAC	5	4	1
Wormwood Scrubs Charitable Trust	3	2	1

Joint Health Overview & Scrutiny Committee	1	1	0
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Sub-Committees	Total seats	Administration's allocation	Opposition's allocation
Licensing Sub-Committee	3	2	1