

London Borough of Hammersmith & Fulham

COUNCIL

18 MAY 2016



ALLOCATION OF SEATS AND PROPORTIONALITY ON COMMITTEES

Report of the Monitoring Officer

Open Report

Classification - For Decision

Key Decision: No

Wards Affected: None

Accountable Executive Director: Tasnim Shawkat, Director of Law

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1. EXECUTIVE SUMMARY

- 1.1. The Council is required to confirm the proportional division of seats on the Standing Committees and to note the Members appointed to them except in relation to the Licensing Committee where the membership is determined by the Council rather than the political groups.

2. RECOMMENDATIONS

- 2.1. That the allocation of seats, as set out in Appendix 1, be noted.

3. REASONS FOR DECISION

- 3.1. 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.

4. INTRODUCTION AND BACKGROUND

Allocation of Seats

- 4.1. 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.

- 4.2. Section 15 (1) of the Local Government and Housing Act 1989 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.
- 4.3. 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.
- 4.4. 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.
- 4.5. The Local Government and Housing Act 1989 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.
- 4.6. The Cabinet, Health and Well Being Board, Pensions Board and the Licensing Committee are not required to be proportional and so are outside of the political balance calculation.
- 4.7. 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

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

No. of Group Members x 100/ 46

- 4.9. Following the elections held on 22 May 2014, the political balance of the Council is set out in Table 1 below:

	No of seats on the Council	Proportionality
Labour	26	56.52
Conservative	20	43.47
Total	46	100

5. PROPOSAL AND ISSUES

- 5.1. Following the Local Council Elections on 22 May 2014, the Labour and Conservative Groups hold, respectively, 26 and 20 of the total of 46 Council seats. The proportion by which seats on Committees should be allocated is 56.52% Majority Group and 43.47% Minority Group. This equates, on the basis of 73 committee seats, to 41 Majority Party and 32 Minority Party seats. Appendix 1 shows the allocation of seats and the proportionality. The principles outlined in paragraph 4.3 above have been adhered to in the allocation of seats.
- 5.2. Membership of the Council's Standing Committees (except the Licensing Committee, Pensions Board 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.
- 5.3. 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.

6. CONSULTATION

- 6.1. Consultation has been undertaken in respect of this report with the Leaders of each of the political groups represented on the Council. Their agreement has been obtained to the calculations relating to the allocation of seats on committees and their respective nominations will be put before Council for approval.

7. EQUALITY IMPLICATIONS

- 7.1. The Council is under a statutory duty to ensure that equality and diversity is a key part of the decision making process of the Council. This is fundamental to the Council being able to meet its statutory responsibilities.
- 7.2. Implications completed by: Kayode Adewumi, Head of Governance and Scrutiny, tel: 020 8753 2499.

8. LEGAL IMPLICATIONS

- 8.1. These are set out in the body of the report.
- 8.2. Implications verified by: Rhian Davies, Chief Solicitor, tel: 020 7641 2729

9. FINANCIAL IMPLICATIONS

- 9.1. The cost of servicing these committees will be met through the existing budgets.
- 9.2. Implications completed by: Kayode Adewumi, Head of Governance and Scrutiny, tel: 020 8753 2499.

10. BUSINESS IMPLICATIONS

- 10.1. There are no direct implications.
- 10.2. Implications completed by: Kayode Adewumi, Head of Governance and Scrutiny 020 8753 2499.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		