

Brighton & Hove City Council

COUNCIL

Agenda Item 38

Subject: Review of Political Balance October 2022

Date of meeting: 20 October 2022

Report of: Chief Executive

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Ward(s) affected: All

For general release

1. PURPOSE OF REPORT AND POLICY CONTEXT:

- 1.1 The Council is required to review the allocation of seats on Committees and Sub Committees in certain circumstances in accordance with Section 17 of the Local Government (Committees and Political Groups) Regulations 1990. In other circumstances, the Council may choose to review the allocation of seats in order to reflect changes that have taken place.
- 1.2 The purpose of this report is to undertake a discretionary review of the allocation of seats following a change in membership of the Labour Group.

2. RECOMMENDATIONS:

- 2.1 That the Council appoints/re-appoints its committees with the sizes and allocation of seats between political groups as set out in Appendix 1 to the report;
- 2.2 That the allocation of seats as detailed in the report and in Appendix 2 to the report be approved.

3. CONTEXT / BACKGROUND INFORMATION:

- 3.1 In August 2022 Councillor Nick Childs resigned from the Labour Group and became an Independent Councillor. The political composition of the Council is therefore now: Green (20 Members); Labour (15 Members); Conservative (12 Members) and 7 Independent Members.
- 3.2 The resignation of a member from a political group does not trigger a requirement to review the allocation of seats, however there is discretion to undertake a review. Following consultation with Group Leaders, a review was considered appropriate in this case.
- 3.3 The Chief Executive is under a duty, whenever such a review takes place, to submit a report to the Council showing what allocation of seats would in his

opinion best meet the principles set out in Section 15 of the Local Government and Housing Act 1989.

3.4 The principles of determination for the allocation of seats are that:

- (a) All seats are not allocated to the same Group,
- (b) The majority of the seats go to the Group (if any) which has an overall majority on the Council (i.e. more than 27 seats),
- (c) Subject to the above two principles, that the number of seats on the total of all the committees/sub-committees allocated to each Group bears the same proportion to the proportion on the Full Council, and
- (d) Subject to (a) and (c), that the number of seats on each committee/sub-committee allocated to each Group bears the same proportion to the proportion on the Full Council.

Overall Political Group split on the Council

3.5 Following the change referred to at paragraph 3.1 above, it is proposed that the political groups will have the seats on the Council as set out below. This is a decrease to the Labour Group of one seat and an increase of Independent Members with a seat on Committees by one.

Party	Seats on the Council	Initial Allocation (rounded)		Proposed Allocation for 96 seats
Green	20	35.56	(36)	39
Labour	15	26.70	(27)	29
Conservative	12	21.33	(21)	22
Independent	1	1.78		1
Independent	1	1.78		1
Independent	1	1.78		1
Independent	1	1.78		1
Independent	1	1.78		1
Independent	1	1.78		1

Committee Sizes and Review of Committees

3.6 The total number of Committee places (excluding sub-committees) used for the determination of the allocation of seats to the political groups is 96 as detailed in Appendix 1. (Note that the Political Balance Regulations do not apply to the Licensing Committee (2003 Act) or the Health & Well Being Board or its sub-committee).

- 3.7 The proposed allocations above leave the Green Group with 3 seats above their initial allocation, the Labour Group with 2 seats above their revised allocation and the Conservative Group with 1 seat above their initial allocation (a 3:2:1 split which accords as closely as possible with political proportionality for the division of 6 roles). This outcome takes into account the allocation of 1 seat each to 6 of the 7 Independent Members and ensures that all committees have a full membership.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The proposed committee allocations have been discussed with the respective Group Leaders and are in keeping with the Regulations governing the political balance of committees.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Leaders of the three political groups have been consulted on the proposed allocations.

6. CONCLUSION

- 6.1 Having taken into consideration the number of committees and seats available for the distribution of places between the three political groups represented on the Council, the allocations proposed are considered to be compatible with the requirement of the Regulations.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 All associated costs for the payment of Members Allowances relating to the arrangements outlined in the above report are expected to be met within the existing Members' Allowances budget.

Finance Officer Consulted: Nigel Manvel

Date: 11/10/22

Legal Implications:

- 7.2 The proposals in this report comply with the legal duties and principles regarding the allocation of seats to political groups as set out in the report.

Lawyer Consulted: Elizabeth Culbert

Date: 09/10/22

Equalities Implications:

- 7.3 The Regulations provide the principles that must be followed for the distribution of seats amongst the political groups.

Sustainability Implications:

- 7.4 There are no sustainability issues arising from the report.

SUPPORTING DOCUMENTATION

Appendices:

- Appendix 1 Committee seat allocations;
- Appendix 2 Committee membership.

Documents in Members' Rooms

None

Background Documents

None