

<p>LONDON BOROUGH OF BRENT</p> <p>MEETING OF THE GENERAL PURPOSES COMMITTEE MEETING OF THE SCRUTINY COMMITTEE MEETING OF THE OVERVIEW COMMITTEE MEETING OF THE ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE</p> <p>16th MAY 2005</p> <p>Report from the Borough Solicitor</p>	
For action/information (delete as necessary)	Wards affected: All

Report Title: REVIEW OF SIZE OF AND REPRESENTATION OF POLITICAL GROUPS ON SUB-COMMITTEES AND APPOINTMENT OF CHAIRS OF SCRUTINY COMMITTEE AND OVERVIEW COMMITTEE AND OF SUB-COMMITTEES

1. SUMMARY

- 1.1 At its Meeting on 16 May 2005 the Council is to review the representation of political groups on committees. As soon as practicable after such a review, those committees covered by the requirements of section 15 of the Local Government and Housing act 1989 are required to conduct a review of the representation of political groups on any sub-committees they may have. This report sets out the rules to be applied during the course of the review. This report also concerns the allocation of seats on the Alcohol and Entertainment Licensing Committee (which is required under the Brent Constitution to apply the political balance rules when making appointments to its sub-committees) and appointment of the chairs and vice chairs of the Overview and Scrutiny Committees and of sub-committees.

2. RECOMMENDATIONS

- 2.1 That the Scrutiny and Overview Committees appoint a chair and vice chair in accordance with Standing Order 54.

- 2.2 That each Committee confirm the size of its sub-committee(s) and endorse the Constitution adopted by the Council in so far it relates to sub-committee(s) of the Committee.
- 2.3 That each Committee determine the allocation of seats on its sub-committee(s) in accordance with the advice set out in this report.
- 2.4 That each Committee appoint Chairs and Vice-Chairs, Members and alternates to its sub-committee(s).

3. DETAIL

- 3.1 Once a review of representation of political groups gives rise to new membership on a committee covered by the requirements of section 15 of the Local Government and Housing act 1989 that committee in turn falls under a duty to review the representation of political groups on its sub-committees.
- 3.2 Once the size of sub-committees is decided the committee must, so far as is reasonably practicable, give effect to the principles which follow:
 - (i) That not all seats on the sub-committee are allocated to the same political group.
 - (ii) That the majority of the seats on the sub-committee is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership.
 - (iii) Subject to paragraph (i) and (ii) above, that the number of the seats on the sub-committee which are allocated to each political group bears the same proportion to the number of all seats on that sub-committee as is borne by the number of members of that group to the membership of the authority.
- 3.3 In relation to the council's ordinary committees, there is an additional principle that [subject to the principles set out in paragraphs 3.2 (i) and (ii) above] the number of seats on the ordinary committees of the council which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of the council as is borne by the number of members of that group to the membership of the council.

Members are asked to note that this principle specifically does not apply to sub-committees such as those of this committee.

- 3.4 The current political group composition of Brent Council is as follows: 34 Labour, 17 Conservatives, and 10 Liberal Democrat councillors. The application of the principles set out at paragraph 3.2 above requires that the distribution of the available seats amongst the political groups on sub-committees of the size set out in the revised Constitution to be proposed to the Full Council meeting of 16 May is as follows:

Committee	Sub Committee	Size of Sub Committee	Labour	Conservative	Liberal Democrat
General Purposes	Staff Appeals Sub-Committees A and B	5	3	1	1
	Schools Disciplinary	5	3	1	1
	Pension Fund Sub-Committee	7	4	2	1
	General Purposes Licensing Sub-Committee	5	3	1	1
	Senior Staff Appointments Sub-Committee	5	3	1	1
Overview	Health Overview Panel	7	4	2	1
Scrutiny	Adult and Social Care Scrutiny Panel	7	4	2	1
	Quality of Life Scrutiny Panel	7	4	2	1
	Performance and Finance Select Committee	7	4	2	1
	Forward Plan Select Committee	7	4	2	1

These figures are reached by “rounding out” fractions of seats so as to produce the minimum achievable deviation from the principle set out at paragraph 3.2(iii) above.

However, as there are 4 voting co-opted members on the Children and Families Scrutiny Panel as required by legislation, in order to comply with political balance principle (ii) above the political balance that would otherwise apply has to be adjusted to ensure the majority party has the majority of votes on the committee. The figures for this sub committee are there as follows:

Total size of Children	Councillor or Member	Labour	Conservative	Liberal Democrat	Voting Co-optees	Non-voting co-

and Families Scrutiny Panel	s					optees
19	13	9	3	1	4	2

- 3.5 If any member intends to propose an alternative sub-committee size and allocation of seats they are requested to seek advice from the Borough Solicitor in advance of the meeting so the legality of the proposal can be checked.
- 3.6 The Alcohol and Entertainment Licensing Committee is required under the Brent Constitution, although not by law, to apply the political balance rules when making appointments to its sub-committees. The effect of this in the case of 3 member sub-committees, as set out in the revised Constitution to be proposed to the Full Council meeting of 16 May, is as follows:

Size of Alcohol and Entertainment Licensing Sub-Committees	Labour	Conservative	Liberal Democrat
3	2	1	0

4.0 Financial Implications

None

5.0 Legal Implications

These are set out in the body of the report.

6.0 Diversity Implications

The report has been screened by officers and there are not considered to be any diversity implications arising from it.

BACKGROUND INFORMATION

Constitution

Anyone wanting to inspect the above document should contact Debra Norman, Deputy Borough Solicitor, Town Hall Annexe. (Tel: 020 8937 1322).

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BOROUGH SOLICITOR**