



**GENERAL PURPOSES COMMITTEE
OVERVIEW AND SCRUTINY COMMITTEE
ALCOHOL AND ENTERTAINMENT
LICENSING COMMITTEE**

26 May 2010

Report from the Borough Solicitor

For Action

Wards Affected:
ALL

Representation of political groups on sub committees

1.0 Summary

- 1.1 At its meeting on 26 May 2010 the Council is to review the representation of political groups on main committees. As soon as practicable after such a review, those committees 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.

2.0 Recommendations

- 2.1 Note the size of the sub-committee(s);
- 2.2 Agree the allocation of seats on the sub-committee(s) to each of the political groups set out in paragraph 3.5;
- 2.3 Appoint chairs and vice chairs, members and alternates to the sub-committee(s).

3.0 Detail

- 3.1 Once a review of representation of political groups gives rise to new membership on a main committee 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 main 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 are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership (this rule does not currently apply to the Council as no party group currently holds an overall majority of seats).
- (iii) Subject to paragraph (i) above (and to (ii) above if it had been applicable) 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 ordinary sub-committees such as those of this committee.

3.4 The current membership of the authority is 63 consisting of 40 Labour Group, 17 Liberal Democratic Group, 6 Conservative Group.

3.4 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 Constitution as follows:

Committee	Sub Committee	Size of Sub Cttee	Labour	Liberal Dem	Conservative
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
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Committee	Sub Committee	Size of Sub Cttee	Labour	Liberal Dem	Conservative
Overview and Scrutiny	Health Overview Panel	8	5	2	1
	Performance and Finance Select Committee	8	5	2	1
	Forward Plan Select Committee	8	5	2	1
	Budget Panel	6	4	1	1

- 3.5 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.
- 3.6 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.
- 3.7 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 is as follows:

Size of Alcohol and Entertainment Licensing Sub-Committees	Labour	Liberal Democrats	Conservative
3	1	1	1

Given that only one Conservative member serves on the Alcohol and Entertainment Licensing Committee it would not be practical for that member to serve on all three sub-committees. Alternative arrangements for these sub-committees will therefore need to be further considered.

4.0 Financial Implications

- 4.1 There are none arising directly from this report.

5.0 Legal Implications

5.1 These are addressed in the body of the report.

6.0 Diversity Implications

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

Background Papers

The Brent Constitution
Local Government and Housing Act 1989

Contact Officers

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