

**LONDON BOROUGH OF BRENT**

**COUNCIL MEETING**

**17 May 2004**

**Report from the Borough Solicitor**

**FOR ACTION**

**NAME OF WARDS AFFECTED**  
**ALL**

**REVIEW OF REPRESENTATION OF POLITICAL GROUPS ON  
COMMITTEES**

**1.0 SUMMARY**

- 1.1 This report deals with rules to be applied on the allocation to political groups of seats on committees established by the Council.

**2.0 RECOMMENDATIONS**

- 2.1 That the Council:

- (i) determine the size of each committee
- (ii) determine the allocation of seats on committees to each of the political groups;
- (ii) appoint the chair and vice-chair of the General Purposes and Planning committees and alternates and members to all committees; and
- (iv) note that the political balance on sub-committees will be reviewed at the first meetings of the General Purposes Committee and of the Scrutiny and Overview Committees.

**3.0 FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from this report.

#### **4.0 STAFFING IMPLICATIONS**

There are no staffing implications arising directly from this report.

#### **5.0 LEGAL IMPLICATIONS**

These are contained in the body of the report.

#### **DETAIL**

#### **5.0 REPRESENTATION OF POLITICAL GROUPS ON COMMITTEES AND SUB-COMMITTEES**

- 5.1 The Council is required to review and determine the representation of the political groups on committees and allocate committee places to political groups accordingly at, or as soon as practicable after, its annual meeting.
- 5.2 The allocation is determined by applying the “political balance rules” under the Local Government and Housing Act 1989. These are designed to ensure that the political composition of the Council’s decision making and deliberative committees as far as possible replicates the political composition of the full Council. Committees are subsequently required to carry out a similar process in relation to any sub-committees they may have.
- 5.3 The rules are that seats must be allocated so far as reasonably practicable in accordance with 4 overriding principles:
  - (a) that not all the seats on the body are allocated to the same political group;
  - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority’s membership;
  - (c) subject to paragraph (a) and (b) above, that the number of the seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
  - (d) subject to paragraph (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all seats on that body as is borne by the number of members of that group to the membership of the authority.

Principles (b) and (d) refer to a “body” which under the rules means ordinary council committees and sub-committees, overview and scrutiny committees and sub-committees and advisory committees and sub-committees. Principle (c) refers to “committees” which under the rules means only the ordinary committees. If the Constitution is adopted as proposed in the report concerning the Constitution elsewhere on the agenda ("the Constitution Report"), this will be General Purposes and Planning.

This means that the General Purposes Committee and the Planning Committee have an extra criterion to satisfy and have to be taken together in determining the number of seats that should be allocated to each group, but all other committees are considered individually.

- 5.3 If the Constitution is adopted as proposed in the Constitution Report the Council will establish the following committees and the table below sets out the political balance position as it applies to those committees.

Committee	Size	Labour	Conservative	Liberal Democrat
		55.5%	28.5%	15.9%
Overview Committee and Scrutiny Committee	17 (plus 4 voting co-opted members and 2 non-voting co-opted members)	11	4	2
General Purposes Committee	11	6	3	2
Planning Committee	10	6	3	1

- 5.4 The political balance on the Overview and Scrutiny Committees is slightly out of line with the percentages because in order to comply with principle (b) the majority group has to have enough seats to have an overall majority of votes on the committees after allowing for the co-opted members with voting rights.
- 5.5 If any member wishes to put forward an alternative proposal to the above they are invited to submit their proposals to the Borough Solicitor who will check them for legality before they are proposed at the Annual Meeting. As the mathematics can prove quite complex, it would be helpful if details could be provided at the earliest opportunity.
- 5.6 It will be for committees to review the political balance of sub-committees. The review and a determination of the allocation of seats

on sub-committees must be carried out as soon as practicable after any occasion on which the members of the committee are changed in consequence of a determination under the 1989 Act and may be carried out on other occasions. It is proposed that such a review take place at the first meeting of each of the General Purposes Committee, Scrutiny Committee and the Overview Committee which are the committees which have sub-committees under the proposed new Constitution.

## BACKGROUND INFORMATION

### Constitution

Any person wishing to inspect the above or seeking further information concerning this report should contact Terry Osborne, Borough Solicitor or Debra Norman, Deputy Borough Solicitor, at the Town Hall Annexe, Town Hall, Wembley Tel: 020 8937 1310.

**Terry Osborne**  
**Borough Solicitor**