



Annual Council Meeting 18 May 2022

Report from the Chief Executive

Representation of Political Groups on Committees

Wards Affected:	All
Key or Non-Key Decision:	Council
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	One Appendix 1: Political Balance Rules
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Katie Smith, Head of Executive and Member Services Tel: 0208 937 1399 katie.smith@brent.gov.uk James Kinsella, Governance Manager, Executive & Members Services Tel: 020 8937 2063 james.kinsella@brent.gov.uk or

1.0 Summary

- 1.1 This report fulfils the Council's duty to review and determine the representation of different political groups on certain committees at its Annual Meeting or as soon as practicable thereafter and following on from the local borough elections held on the 5 May 2022.
- 1.2 The report also considers the position regarding the appointment of Political Assistants following the outcome of the local elections.
- 1.3 As a result of the new local electoral boundary arrangements introduced by the Local Government Boundary Commission, coming into effect for the local election held on the 5 May 2022 Brent is now represented by 57 councillors, all of whom have signed their declaration of acceptance of office. This

membership has therefore been used as the basis for the annual review, with the Council now having a duty to make appointments (where necessary) to those committees giving effect to the wishes of the political group allocated the seats.

2.0 Recommendations

Full Council is asked:

- (1) To agree the size of each committee;
- (2) To agree (where the rules of political balance apply) the allocation of seats on committees to each of the Council's political groups as set out in the report;
- (3) To make appointments to those committees at Item 10 of this agenda giving effect to the wishes of the political group allocated the seats; and
- (4) To note that the political balance on sub-committees will be reviewed at the first meeting of the General Purposes Committee and the Licensing Committee held following the Annual Meeting.
- (5) To agree provision for the allocation of a political assistant to both the Labour and Conservative Groups, on the basis detailed within sections 3.13 – 3.15 of the report.

3.0 Detail

Representation of Political Groups

- 3.1 The Council is required to review and determine the representation of different political groups on certain committees at, or as soon as practicable, after its Annual Meeting and following on from a local election.
- 3.2 As soon as practicable after the review, the Council then has a duty to determine the allocation to the different political groups of all seats on the relevant committees. The allocation is determined by applying the "political balance rules" prescribed by the Local Government and Housing Act 1989 and supplemented by the Local Government (Committees and Political Groups) Regulations 1990. These rules are set out in Appendix 1 to this report and 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 Full Council. Subsequently, the Council has a duty to make appointments to those committees at Item 10 of this agenda giving effect to the wishes of the political group allocated the seat(s).
- 3.3 The Committees to which the political balance rules apply have similar duties in relation to any sub-committees they may have.
- 3.4 On the basis that the overall membership of the Council now stands at 57, the composition of political groups as a percentage of overall membership is as follows:

- 49 Labour Group councillors – representing 85.97% of the total council membership;
- 5 Conservative Group councillors – representing 8.77% of the total council membership;
- 3 Liberal Democrat councillors – representing 5.26% of the total council membership.

3.5 According to the political balance rules, a political group for this purpose is a group of two or more members.

3.6 Table 1 below sets out the 5 ordinary committees of the Council to which the political balance rules apply; the size of each committee (excluding any non-voting co-opted committee members in accordance with the political balance rules); the total number of seats required to be allocated and the number of seats each political group is entitled to based on the number of group members.

3.7 There are a total of **38** ordinary committee seats to which the political balance requirements will fully apply. Based on total council membership, the breakdown regarding the proportion of seats each political group is therefore entitled to on these committees is as follows:

- Labour Group – 33 seats
- Conservative Group – 3 seats
- Liberal Democrat Group – 2 seats

3.8 This has resulted in one seat on each of the 5 ordinary committees to which the political balance rules apply, being allocated between the Conservative and Liberal Democrat Groups. The allocation of seats between Committees has been agreed between both Groups, with the proposed division as follows.

Table 1

Ordinary Committees	Size	Labour Group	Conservative Group	Liberal Democrat Group
		49 85.97%	5 8.77%	3 5.26%
General Purposes Committee	8	7	0	1
Planning Committee	8	7	1	0
Audit & Standards Committee	7	6	1	0
Corporate Parenting Committee	5	4	1	0

Licensing Committee	10	9	0	1
Total seats	38	33	3	2
Strict Entitlement (based on a proportion of total members)		33	3	2

3.9 There are other committees to which the political balance rules apply but only principles (a), (b) and (d) (see Appendix 1, paragraph 3). Namely, the existing Scrutiny Committees and the Audit & Standards Advisory Committee.

3.10 Table 2 below confirms the size and make-up of these Committees, with the Conservative and Liberal Democrat groups both entitled (given the size of each committee) to be allocated a seat on both Scrutiny Committees.

Table 2

Other Committees	Size	Labour Group 49 85.97%	Conservative Group 5 8.77%	Liberal Democrat Group 3 5.26%
Community and Wellbeing Scrutiny Committee	11 (plus 4 voting co-opted members and 2 non-voting co-opted members)	9	1	1
Resources and Public Realm Scrutiny Committee	11	9	1	1
Audit & Standards Advisory Committee	7 (plus up to 5 voting co-opted members)	6	1	0

3.11 Subsequent to allocating seats, the Council has a duty to make appointments to the specified committees giving effect to the wishes of the political group

allocated the seats. The appointments to each committee being made by the respective political groups will be set out within the report to be considered as Agenda Item 10 on the Council summons.

- 3.12 The political balance rules do not apply to the Health and Wellbeing Board but it has been previously agreed that this Board comprise four Cabinet Members and one opposition Member and this will continue following this review, with the Conservative Group allocated the available seat.

Political Assistants

- 3.13 Section 9 of the Local Government and Housing Act 1989 provides for the appointment of political assistants.

- 3.14 Where a council decides to make such appointments specific rules apply which vary depending on the size and number of the political parties. Following the local elections in May 2022 there is only one party which has one tenth or more of the membership of the Council and in these circumstances the following rules apply:

Where the members of a relevant authority are divided into political groups only one of which has a membership that comprises one-tenth or more of the membership of the authority —

- (a) *the groups qualifying for a post shall be that group and one other group; and*
- (b) *the other group shall be the one with the next largest membership or, in a case in which there is more than one group with the next largest membership, such one of those groups as may be determined by the authority;*

- 3.15 On application of these rules, both the Labour Group and the Conservative Group will therefore each qualify for a political assistant. These appointments will be made in accordance with the Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2021 and accompanying guidance.

4.0 Financial Implications

- 4.1 There are no financial implications arising directly from this report.

5.0 Legal Implications

- 5.1 These are addressed in the body of the report.

6.0 Equality Implications

- 6.1 The s149 public sector equality duty requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;

- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

6.2 The Equality Act 2010 and the Public Sector Equality Duty (outlined above) cover the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.3 There are no direct equalities implications arising from this report at this stage.

Background Papers

None.

Report sign off:

Debra Norman

Director of Legal, HR, Audit &
Investigations