

## APPENDIX

### 10.4 CALCULATION OF POLITICAL BALANCE (PROPORTIONALITY) BACKGROUND

The Council must allocate seats on committees and other prescribed bodies so as to give effect to the political balance rules.

The rules for the allocation of seats are set out in Sections 15 and 16 of the Local Government and Housing Act 1989 Local Government Committee and Political Group Regulations 1990.

Section 15(4) sets out 4 rules, and requires authorities to apply them in descending order of priority.

- The first rule is that, where some or all of the members of an authority have formed into two or more political groups, then no Committee may comprise just members from one political group.
- The second rule is that, where a majority of members of Council are members of one political group, that political group must have a majority of the seats on each Committee. For example, that dictates that a 10-member Committee be split 6:4.
- The third rule provides that, without being inconsistent with the first two rules, the number of seats allocated to each political group on all the Committees taken together be as near as possible proportionate to their strength on Council.
- The fourth rule provides that, so far as is consistent with Rules 1 to 3, each political party must be allocated that number of seats on each Committee taken individually as is proportionate to their strength on the Council. However, as set out above, this is subject to the need to give the majority a majority on each Committee.

Any seats left unallocated go by default to any members who are not members of any political group. A political group must comprise at least 2 members, so the 1 Liberal Democrat does not constitute a political group

The Council can only depart from these rules by passing a resolution with no member voting against the resolution.

The political proportionality rules also apply to those outside bodies dealing with local government matters to which the council appoints three or more representatives.

This revised proportionality report is based on the principles described above and takes into consideration changes made to Committee sizes and the results of the Colindale Election on the 26<sup>th</sup> June 2014. As a result this report

is requested to be agreed by Council to ensure the seats are allocated using the appropriate principles as based in law.

The political composition of the Council is as follows:

	Council	Conservative	Labour	Un-grouped
Members	63	32	30	1
Percentage		50.79	47.62	

### **Bodies to which proportionality does not or need not apply**

(i) Consultative bodies established for consultation with staff are not regarded as council committees subject to the political balance rules. Each has a special composition.

(ii) The Council appoints or nominates Members to a variety of special statutory bodies, or informal or consultative bodies that are not council committees or sub-committees of the Council. The political balance rules do not apply to these bodies.

(iii) Council agreed on 16 April 2013 and on 2 June 2014 the recommendations of the Constitution Ethics and Probity Committee in respect of the Health and Well Being Board, including using the provisions of the Local Authority (Public Health, Health and Well Being Board and Health Scrutiny Regulations 2013 (Si 218) to waive the requirements under the 1972 Local Government Act for political balance.

(iv) The Regulations provide an exception from the political balance requirements where a committee is established to discharge functions in part of an authority's area, and

- (a) Consists entirely of Members elected for wards which comprise the area, and
- (b) Either the area or its population does not exceed two-fifths of the total for the authority.

This allows the Area Sub-Committees to be constituted on a ward Member basis. Previously the East and West Planning Sub-Committees, covering over 40% of the Borough, were subject to the political balance regulations and appointments to these Planning Sub-Committees were made on a one Member per ward basis.

The Constitutional Review report elsewhere on this agenda is proposing that they be replaced by three Area Planning Committees. As these will each cover less than 40% of the Borough's population, they are not covered by political proportionality, provided that the members of each Area Committee comprise solely elected members for wards within the Committee's area.

### **Achieving Political Balance**

An allocation of seats is set out in the table below. The number of Members, and any specific requirements of membership, are taken from the Responsibility for Functions section of the Constitution agreed by Council on 8 April 2014, as proposed to be amended by the Constitutional Review report elsewhere on this agenda.

Whilst there is no requirement to set the size of Committees to secure proportionality, it is proposed that, in order to comply with the requirement for the Majority party/parties to enjoy a majority on each Committee, yet get as close as possible to arithmetic proportionality, it is proposed in the Constitutional Review Report elsewhere on this agenda that the number of seats on all Committees within the proportionality calculation (with the exception of Policy and Resources) be altered to be an odd number .

<b>COMMITTEE</b>	<b>NUMBER OF MEMBERS</b>	<b>Conservative</b>	<b>Labour</b>	<b>Un-Grouped</b>
Policy and Resources	12	7	5	0
Performance and Contract Management	11	6	5	0
Children Education Libraries and Safeguarding	9	5	4	0
Environment	11	6	5	0
Assets Regeneration and Growth	9	5	4	0
Adults and Safeguarding	9	5	4	0
Housing	9	5	4	0
Community Leadership	11	6	5	0
Licensing Committee	11	6	5	0
Audit Committee	7	4	3	0
Planning Committee	11	6	5	0
General Functions Committee	7	4	3	0
Health Overview and Scrutiny Committee	9	5	4	0
Constitution, Ethics and Probity Committee	7	4	3	0
Remuneration Committee (must include Leader, Deputy, GFC)	5	3	2	0

Chair and all Group Leaders)				
Pensions Fund Committee	7	4	3	0
Group Leaders Panel (must include each Group Leader)	5	3	2	0
Urgency Committee (must include Leader, Deputy and Opposition Leader)	3	2	1	0
Total	153	86	67	0
Percentages		56.21	43.79	

Appointments should also be made to the following committees not included within the schedule. Members for Area Planning Committees and Area Sub-Committees/Welsh Harp JCC should represent wards within the appropriate area concerned. The Corporate Parenting Advisory Board is not subject to proportionality rules but it would be good practice to follow them.

#### **Seat allocations on non-politically proportional bodies**

Committee	Membership	Seat Allocation		
		Con	Lab	L/D
Finchley and Golders Green Area Committee	7	4	3	
Chipping Barnet Area Committee	7	3	4	
Hendon Area Committee	7	4	3	
Welsh Harp Joint Consultative Committee	4	2	2	
Corporate Parenting Advisory Board	9	5	4	
Finchley and Golders Green Area Planning Committee	7	4	3	
Chipping Barnet Area Planning Committee	7	3	4	
Hendon Area Planning Committee	7	4	3	

Council will note that the proportionality calculations result in the un-grouped member securing no seats on any Committee. Council could, if it so resolved by a resolution with no member voting against the resolution, depart from proportionality to allocate some seats to the un-grouped member. However, Council should note that, if the majority party were to retain a majority of seats on each Committee, any seats given to the un-grouped member would have to come from within those seats otherwise allocated to the Labour Party group.

**RECOMMEND:**

- 1. That Council note the political balance of the Council is 32 Members of the Conservative Group; 30 Members of the Labour Group; 1 Liberal Democrat.**
- 2. That Council agree the allocation of seats as set out in the table to this report in order to comply with the political balance regulations requiring seats to be allocated proportionately to the political groups represented on Council;**
- 3. That Council determine whether it wishes to allocate a seat(s) to the member not part of a political group on such Committee as Council may determine.**