

<p><b><u>Meeting</u></b></p> <p><b>Council</b></p>
<p><b><u>Date and time</u></b></p> <p><b>Tuesday 24th January, 2023</b></p> <p><b>At 7.00 pm</b></p>
<p><b><u>Venue</u></b></p> <p><b>Hendon Town Hall, The Burroughs, London NW4 4BQ</b></p>

Dear Councillors,

On 24<sup>th</sup> January 2023 the Proper Officer received notification that Councillor Linda Lusingu would be becoming an Independent Member. An updated calculation of political balance is enclosed.

Item No	Title of Report	Pages
12.4	Calculation of Political Balance Report - Updated	3 - 6

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## Calculation of Political Balance (Proportionality)

The Council must allocate seats on Committees and other prescribed bodies 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 and Local Government Regulations 1990. **AGENDA ITEM 12.4**

Section 15(5) of the Local Government and Housing Act 1989 sets out the principles as follows:

- 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 paragraphs (a) and (b) above, that the number of 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 paragraphs (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 the seats on that body as is borne by the number of members of that group to the membership of the authority.

For political balance, a group is required to have at least two members in order to be formally constituted as 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 representatives.

This proportionality report is based on the principles described above. This report is requested to be agreed by Council to ensure the seats are allocated using the appropriate principles as based in law.

When calculating political balance, to comply with sections (c) and (d) of Section 15(5) of the Local Government and Housing Act 1989 it is usual practice to round up the seat allocation when the strict allocation comes above 0.5 and round down when the strict allocation comes below 0.5.

**The political composition of the Council is as follows:**

	<b>Council</b>	<b>Labour</b>	<b>Conservative</b>	<b>Independent</b>
Members	62	40	21	1
Percentage	100%	64.52%	33.87%	1.61%

### Non-Politically Proportionate Bodies

Bodies to which proportionality does not or need not apply:

- Health and Wellbeing Boards – Section 15 of the Local Government and Housing Act 1989 (and Section 16 and Schedule 1), namely the duty to allocate seats on committees on a proportional basis to political groups, does not apply to Health and Wellbeing Boards under regulation 7 Part 2 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny Regulations 2013 SI 2013/218.
- Standards Committee – Council agreed on 8 December 2015 to waive the requirements under the Local Government and Housing Act 1989 for political balance for the Standards Committee, and that each of the two political Groups on the Council shall have two seats on the Committee (with two substitute members for each Group)
- Consultative bodies established for consultation with staff are not regarded as council committees subject to the political balance rules. Each has a special composition.
- The Council appoints or nominates Members to a variety of special statutory bodies, or informal or consultative bodies that are not council committees of the Council. The political balance rules do not apply to these bodies.

Regulation 16A Local Government (Committees and Political Groups) Regulations 1990 SI 1553/1990 provides an exception from the political balance requirements where a committee is established to discharge functions of the authority or to advise the authority or another committee of the authority in respect of any part of the area of the authority, and –

- (i) the authority is a county, district or London borough council; and
- (ii) the voting members of the committee consist solely of persons who are elected for electoral divisions or wards which are wholly or partly within that part; and
- (iii) the area of that part does not exceed two-fifths of the total area of the authority; or
- (iv) the population of that part, as estimated by the authority, does not exceed two-fifths of the total population of the area of the authority as so estimated.

This allows the Area Committees to be constituted on a Ward Member basis.

### **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 Council's Constitution, Article 7 (Committees, Forums, Working Groups and Partnerships):

## Seat Allocations on Politically Proportional Bodies

COMMITTEE	NUMBER OF SEATS	LABOUR	CONSERVATIVE	INDEPENDENT
Policy & Resources	12	8 (7.74)	4 (4.06)	0 (0.19)
Children, Education and Safeguarding	11	7 (7.09)	4 (3.73)	0 (0.18)
Environment and Climate Change	11	7 (7.09)	4 (3.73)	0 (0.18)
Housing & Growth	11	7 (7.09)	4 (3.73)	0 (0.18)
Community Leadership & Libraries	11	7 (7.09)	4 (3.73)	0 (0.18)
Adults and Safeguarding	11	7 (7.09)	4 (3.73)	0 (0.18)
Licensing	12	8 (7.74)	4 (4.06)	0 (0.19)
Audit	6	4 (3.87)	2 (2.03)	0 (0.10)
Strategic Planning	9	6 (5.81)	3 (3.05)	0 (0.15)
Planning A	6	4 (3.87)	2 (2.03)	0 (0.10)
Planning B	6	4 (3.87)	2 (2.03)	0 (0.10)
Health Overview & Scrutiny	9	6 (5.81)	3 (3.05)	0 (0.15)
Constitution & General Purposes	9	6 (5.81)	3 (3.05)	0 (0.15)
Pension Fund	9	6 (5.81)	3 (3.05)	0 (0.15)
Urgency Committee	3	2 (1.94)	1 (1.02)	0 (0.02)
Chief Officer Appointment Panel	5	3 (3.23)	2 (1.69)	0 (0.08)
<b>Total</b>	<b>141</b>	<b>92</b>	<b>49</b>	<b>0</b>
<b>Percentages</b>	<b>100%</b>	<b>65.25%</b>	<b>34.75%</b>	<b>0.00%</b>

## **Seat Allocations on Non-Politically Proportional Bodies**

### **Area Based Committees**

<b>Committee</b>	<b>Membership</b>	<b>Seat Allocations</b>	
		<b>Lab</b>	<b>Cons</b>
North	8	5	3
East	8	5	3
West	8	6	2

### **Bodies where the political balance requirements have been waived**

<b>Committees</b>
Local Pension Board
Local Strategic Partnership (Barnet Partnership Board)
Children's Partnership Board
Safer Communities Partnership Board

**Special statutory bodies or informal or consultative bodies or committees where the Council has agreed that proportionality requirements have been waived – Membership requirements as detailed in Article 7.**

<b>Committee</b>	<b>Membership</b>	<b>Seat Allocations</b>	
		<b>Lab</b>	<b>Con</b>
Standards	4	2	2

<b>Committee</b>	<b>Membership</b>	<b>Seat Allocations</b>	
		<b>Lab</b>	<b>Con</b>
Health & Wellbeing Board	3	3	0

### **RECOMMEND that:**

- Council note the political balance of the Council is:**
  - **40 Members of the Labour Group;**
  - **21 Members of the Conservative Group**
  - **1 Independent Member**
- Council agree the allocation of seats as set out in the tables above in order to comply with the political balance regulations requiring seats to be allocated proportionately to the political groups on Council.**