

Report to COUNCIL

Review of political balance on committees

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Reason for Decision

The Council has received notification that three Members of the Council wish henceforth to be known as the Oldham Group, further to Regulation 8 (1) of the Local Government (Committees and Political Groups) Regulations 1990 and under Section 15 and 16 of the Local Government and Housing Act 1989. The three members are Councillors Ghafoor, Irfan and Wahid and Councillor Ghafoor is leader of the Group with Councillor Wahid as Deputy Leader

In light of this the Council is asked to review the political composition of committees and to note the composition of the political groups as previously notified under Regulation 8 (1) of the Local Government (Committees and Political Groups) Regulations 1990 and under Section 15 and 16 of the Local Government and Housing Act 1989.

The establishment of the new group means that the Conservative Group on the Council is reduced from 11 to eight. Therefore the Liberal Democrat Group, with 10 members, are now the Council's main opposition Group. Their Shadow Portfolio positions are detailed at Appendix 1.

Recommendations

- (a) The composition of the political groups as shown in paragraph 1.1 be noted.
- (b) The number of seats on the various Committees for the remainder of the 2023/24 Municipal Year as detailed in paragraph 1.5 be approved.

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- (c) Council confirms the allocation of seats to the political groups and makes appointments to fill the seats in accordance with Sections 15 and 16 of the Local Government and Housing Act 1989 as far as is practicable (as detailed in Appendix 2 – which will be circulated prior to the meeting), including those Committees that are not strictly politically balanced – Scrutiny Boards.
 - (d) Any outstanding appointments where Group are entitled to a committee seat to be delegated to the Chief Executive in accordance with the wishes of the relevant political group.
 - (e) The Liberal Democrat Group Shadow Cabinet positions be noted.
 - (f) In consequence of the changes outlined above, revised appointments will be made to some of the outside body appointments. These will be contained in Appendix 3 and will be circulated prior to the meeting. Any outstanding appointments to be delegated to the Chief Executive in accordance with the wishes of the relevant political group.

Political Balance Review

1 Background

The Council is asked to review the political composition of committees and to note the composition of the political groups as previously notified under Regulation 8 (1) of the Local Government (Committees and Political Groups) Regulations 1990.

1.1 Political Groups

Council is asked to note that the composition of the political groups under Regulation 8 (1) of the Local Government (Committees and Political Groups) Regulations 1990, is:-

(i)	The Labour Group	32	Members
(ii)	The Liberal Democrat Group	10	Members
(iii)	The Conservative Group	8	Members
(iv)	Failsworth Independent Party	3	Members
(v)	Independent Group	3	Members
(vi)	Oldham Group	3	Members

1 Independent Member not within a group

1.2 Political Balance

There are four statutory principles of political balance which have to be applied in filling appointments to Committees. These are contained in S15(5) of the Local Government and Housing Act 1989.

The principles have to be applied in priority order as follows:-

- (a) that not all seats on the body are allocated to the same political group;
- (b) that the majority of the seats on the body are allocated to a particular political group if the number of persons belonging to that group are 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 seats on the body which are allocated to each political group bears the same proportion to the same number of all seats on that body as is borne by the number of members of that group to the membership of the Authority.

The political group sizes as a percentage of the total membership of the Council are:-

Labour Group	$32/60 \times 100 = 53.33\%$	105 seats x 53.33%=56	56 seats
Liberal Democrat Group	$10/60 \times 100 = 16.66\%$	105 seats x 16.66%= 17.49	17 seats
Conservative Group	$8/60 \times 100 = 13.33\%$	105 seats x 13.33% = 13.99	14 seats
Failsworth Independent Party	$3/60 \times 100 = 5\%$	105 seats x 5% = 5.25	5 Seats
Independent Group	$3/60 \times 100 = 5\%$	105 seats x 5% = 5.25	5 seats
Oldham Group	$3/60 \times 100 = 5\%$	105 seats x 5% = 5.25	5 seats

There is one Independent Member not within a Group.

1.3 The application of these percentages to the number of seats on individual Committees gives the following allocation of seats:-

COMMITTEE SIZE	Labour (L)	Liberal Democrat (LD)	Conservative (C)	FIP	IND Group	Oldham Group
15	8.00	2.50	2.00	0.75	0.75	0.75
14	7.47	2.33	1.86	0.70	0.70	0.70
13	6.93	2.17	1.73	0.65	0.65	0.65
12	6.40	2.00	1.60	0.60	0.60	0.60
11	5.87	1.83	1.46	0.55	0.55	0.55
10	5.33	1.67	1.33	0.50	0.50	0.50
9	4.80	1.50	1.19	0.45	0.45	0.45
8	4.27	1.33	1.07	0.40	0.40	0.40
7	3.73	1.17	0.93	0.35	0.35	0.35
6	3.20	1.00	0.79	0.30	0.30	0.30
5	2.67	0.83	0.67	0.25	0.25	0.25
4	2.13	0.67	0.53	0.20	0.20	0.20
3	1.60	0.50	0.40	0.15	0.15	0.15

1.4 Under the political balance rules after these percentages have been applied to the total number of seats on Committees of the Council any remaining seats must be allocated to members who are not Members of any political group.

Applying political balance as detailed above, the allocation of seats, to the current committee structure, would be as follows:-

Committee	Seats	L	LD	C	FIP	Ind Group	Oldham Group
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Licensing	15	8	2	2	1	1	1
Planning	14	8	2	2	0	0	0
Audit Committee	9	5	2	1	0	0	0
Place, Economic Growth and Environment Scrutiny Board*	8	4	1	1	0	0	0
Governance, Strategy and Resources Scrutiny Board*	8	4	1	1	0	0	0
Adults Social Care and Health Scrutiny Board*	8	4	1	1	0	0	0
Children and Young People Scrutiny Board*	8	4	1	1	0	0	0
Employment Committee/Local NJC	7	4	1	1	0	0	0
Appointments Committee	5	3	1	1	0	0	0
Commons Registration	5	3	1	1	0	0	0
Charitable Trust Committee	5	3	1	1	0	0	0
Standards Committee	5	3	1	1	0	0	0
Traffic Regulation Order Panel	5	3	1	1	0	0	0
Appeals Committee	3	2	1	0	0	0	0
Total	105	58	17	15	1	1	1

* In accordance with political balance rules, Labour should have a majority of seats but this is proposed to be waived.

The above calculation leaves 12 committee places to be allocated

1.5 Adjustment of Seats

In accordance with the rules of political balance the number of seats must be allocated to accord with the rules above. It is therefore proposed that the number of seats on the various Committees for the remainder of the 2023/24 Municipal Year be fixed as follows:-

Committee	Seats	L	LD	C	FIP	Ind Gp	Old Gp
Licensing	15	8	2	2	1	1	1
Planning	14	8	2	2	1	1	0
Audit Committee	9	5	2	1	0	0	1
Place, Economic Growth and Environment Scrutiny Board*	8	4	1	1	1	0	1
Governance, Strategy and Resources Scrutiny Board*	8	4	1	1	1	1	0

Adults Social Care and Health Scrutiny Board*	8	4	1	1	0	1	1
Children and Young People Scrutiny Board*	8	4	1	1	1	1	0
Employment Committee/Local NJC	7	4	1	1	0	0	1
Commons Registration	5	3	1	1	0	0	0
Appointments Committee	5	3	1	1	0	0	0
Charitable Trustee Committee	5	3	1	1	0	0	0
Standards Committee	5	3	1	1	0	0	0
Traffic Regulation Order Panel	5	3	1	1	0	0	0
Appeals Committee	3	2	1	0	0	0	0
Total	105	58	17	15	5	5	5

* In accordance with political balance rules, Labour should have a majority of seats on Committee but this is proposed to be waived. On adjustment Labour and Conservative Groups is showing a slight increase.

The Health and Well Being Board is not included in the calculation above. Although the Committee is appointed by Council, the Local Authority (Public Health and Well Being Boards and Health Scrutiny) Regulations 2013 provide for the disapplication of Section 15 and 16 of the Local Government and Housing Act 1989 . At the Annual Council meeting this year it was resolved that the standards sub-committee consist of 3 members and be non politically balanced with one member from each group represented on the Standards Committee to be on the Standards sub-committee.

- 1.6 Substitutes are to be appointed by the political groups in accordance with the Substitute Scheme contained in the Constitution. Substitutes for Overview and Scrutiny Boards may be nominated up to a maximum of the number of Members of that Group serving on the Board. For the Planning Committee, up to 14 substitutes are to be nominated in accordance with the political balance of each Committee.
- 1.7 Council is asked to review the political composition of the Committees; to determine the allocation of seats to political groups; and to make the appointments to fill the seats in accordance with Sections 15 and 16 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations.
- 1.8 Outside Bodies – Arising from the changes above, revised appointments will be made to some outside body appointments These will be contained in Appendix 3 which will be circulated prior to the meeting.

2 Options/Alternatives

- 2.1 To approve the report
Not to approve the report

3 Preferred Option

- 3.1 To approve the report

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- 4 **Consultation**
- 4.1 Consultation has taken place with relevant officers and councillors.
- 5 **Financial Implications**
- 5.1 n/a
- 6 **Legal Services Implications**
- 6.1 There are no legal comments (Paul Entwistle).
- 7 **Human Resources Implications**
- 7.1 There are no human resources issues.
- 8 **Co-operative Implications**
- 8.1 None
9. **Risk Assessments**
- 9.1 A risk assessment is not required.
- 10 **IT Implications**
- 10.1 There are no IT implications.
- 11 **Property Implications**
- 11.1 There are no property implications.
- 12 **Procurement Implications**
- 12.1 There are no procurement implications.
- 13 **Environmental and Health & Safety Implications**
- 13.1 There are no environmental or health and safety implications.
- 14 **Community Cohesion, including crime and disorder implications, in accordance with Section 17 of the Crime and Disorder Act 1998**
- 14.1 There are no community cohesion implications.
- 15 **Equality Impact - including implications for Children and Young People**
- 15.1 None
- 16 **Key Decision**
- 16.1 No
- 17 **Key Decision Reference**

17.1 n/a

18 **Background Papers**

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

Local Government (Committees and Political Groups) Regulations 1990.

Local Government and Housing Act 1989.

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19. **Appendices**

Appendix 1 – Liberal Democrat Group Shadow Cabinet Positions

Appendix 2 – Membership of Committees.

Appendix 3 - Changes to outside bodies appointments