

# Agenda Item 12.

**TITLE** Political Balance of the Council and Allocation and Appointment to Seats on Committees and Boards

**FOR CONSIDERATION BY** Council on 18 May 2023

**WARD** None Specific;

**CHIEF EXECUTIVE** Susan Parsonage

## **OUTCOME / BENEFITS TO THE COMMUNITY**

That the Council decides on the composition of its Committees and makes appointments to them as specified in Rule 4.1.3 e) of its Constitution. This will ensure that members of the public are provided with information on which Members are appointed to the Council's various Committees and Boards.

## **RECOMMENDATION**

That Council:

- 1) notes that the representation of the political groups on the Council, as advised to the Chief Executive, is 26 Liberal Democrat Group Members, 22 Conservative Group Members and 5 Labour Group members. There is one Independent Member who is not part of a political group, and therefore cannot be included in the calculations when determining political balance.
- 2) approves the appointment and composition of Committees and Boards as set out in Para 2.1.
- 3) approves the allocation of seats on Committees and Boards on the basis that, of the 95 seats (as set out in Para 3.4), 47 be allocated to the Liberal Democrat Group, 39 be allocated to the Conservative Group and 9 to the Labour Group.
- 4) approves the proposals submitted by the respective Group Leaders and that those Members be appointed to the Committees and Boards as set out in Appendix 1 (to follow);
- 5) agrees that the principles of proportionality be applied when Members are appointed to Sub Committees, Panels or Working Groups and approves the proposals submitted by the respective Group Leaders, of Members to be appointed to Sub Committees, Panels or Working Groups as set out in Appendix 2;
- 6) notes that the Constitution states that the Chair of the Standards Committee will be appointed at Annual Council and agrees that as with all other committees the Chair will be appointed at the first meeting of the Standards Committee;
- 7) notes the appointment of the Independent Persons to assist the work of the Standards Committee and the co-opted Parish/Town Council Representatives as set out in Appendix 1;

- 8) notes the elected Member representatives on the Wokingham Borough Wellbeing Board, as set out in Appendix 1, as nominated by the Leader of Council in accordance with Section 194 of the Health and Social Care Act 2012.

## **SUMMARY OF REPORT**

The Local Government and Housing Act 1989 (LGHA 1989) contains provisions relating to political balance on Committees and Sub Committees and seats therefore have to be allocated to them in proportion to the representation of political groups on the Council and the wishes of the political groups.

In accordance with Rule 4.1.3 e) of the Constitution the Council is required to decide on the composition of Committees and make appointments to them.

The recommendation to Council includes no overall reduction in the number of seats for allocation from last year. This provides close compliance by the Council with the political balance across the Council. The Council currently has two large political groups, plus one smaller Group with there being no majority Group, and thus there is no overall control. This will entail all three Groups needing to be represented as far as possible on all committees with the two largest Groups having greater representation, the balance being held by the smaller Group.

There is one Independent Member, who does not constitute a Political Group under the Regulations, and as a result, cannot be taken into account when deciding the composition of committees in terms of political balance.

Members are therefore asked to note the political balance of the Council and consider the allocation of and appointment to seats on Committees and Boards for the 2023/24 Municipal Year.

## Background

### 1. Political Groups

1.1 In accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, the under-mentioned Councillors have given notice to the Chief Executive of their wish to be regarded as members of the political groups as set out below:

	<b>Wokingham Borough Partnership Political Group</b>	<b>Conservative Political Group</b>	<b>Labour Political Group</b>	<b>No Political Group - Independent</b>
1.	Jane Ainslie	Sam Akhtar	Rachel Burgess	Gary Cowan
2.	Rachel Bishop-Firth	Keith Baker	Andy Croy	
3.	Prue Bray	Laura Blumenthal	Andrew Gray	
4.	Stephen Conway	Anne Chadwick	Tony Skuse	
5.	David Cornish	Phil Cunnington	Marie Louise Weighill	
6.	Peter Dennis	David Davies		
7.	Lindsay Ferris	Michael Firmager		
8.	Paul Fishwick	John Halsall		
9.	Catherine Glover	Peter Harper		
10.	David Hare	Pauline Helliar-Symons		
11.	Chris Johnson	Graham Howe		
12.	Clive Jones	Norman Jorgensen		
13.	Sarah Kerr	Pauline Jorgensen		
14.	Morag Malvern	Abdul Loyes		
15.	Adrian Mather	Charles Margetts		
16.	Andrew Mickleburgh	Rebecca Margetts		
17.	Jordan Montgomery	Stuart Munro		
18.	Alistair Neal	Jackie Rance		
19.	Stephen Newton	Wayne Smith		
20.	Ian Pittock	Bill Soane		
21.	Beth Rowland	Alison Swaddle		
22.	Ian Shenton	Shahid Younis		
23.	Imogen Shepherd-DuBey			
24.	Rachelle Shepherd-DuBey			
25.	Caroline Smith			
26.	Mike Smith			
	26/54	22/54	5/54	1/54

### 2. Appointment and Composition of Committees

2.1 In accordance with Rule 4.1.3 e) of the Constitution the Council is required to decide on the composition of Committees and make appointments to them. It is therefore proposed that Council appoint the following Committees and Boards. In relation to the number of seats where the Constitution expressly states a set number of seats available then this should be recommended. However, given the close nature of the political balance on the Council, it is proposed that two committees (identified in the table below) have a one seat increase/decrease. This

is to give effect to rule section 15(5)(d) of the political balance rules in the Local Government and Housing Act 1989 so that the total allocation of seats across all committees represents more closely the political balance on full Council.

<b>Committees/ Boards</b>	<b>Number of Seats</b>	<b>Reason</b>
Audit Committee	7	Not set in Constitution. Same as 22/23
Licensing and Appeals Committee	13	Paragraph 8.4.1 of Constitution <b>but proposed 1 seat decrease</b>
Overview and Scrutiny Management Committee	11	Paragraph 6.1.2 of Constitution: on the basis of Political Proportionality
Children's Services Overview and Scrutiny Committee	7	Paragraph 6.2.1 of Constitution: on the basis of Political Proportionality
Climate Emergency Overview and Scrutiny Committee	9	Paragraph 6.2.1 of Constitution on the basis of Political Proportionality
Community and Corporate Overview and Scrutiny Committee	9	Paragraph 6.2.1 of Constitution: on the basis of Political Proportionality
Health Overview and Scrutiny Committee	9	Paragraph 6.2.1 of Constitution: on the basis of Political Proportionality
Personnel Board	7	Paragraph 8.6.1 of Constitution
Planning Committee	9	This is not set in Constitution but it is suggested that there is no change in the number of seats from 22/23.
Special Council Executive Committee	7	A set number of seats is not set in the Constitution, save that para <b>4.4.12.1 requires it</b> shall consist of the Mayor and Deputy Mayor, together with such Members of the Council concerned as to satisfy the political balance requirements.
Standards Committee	7	Paragraph 9.1.1 of Constitution <b>but proposed 1 seat increase</b>
<b>Total number of seats where Political Balance applies</b>	<b>95</b>	
Wokingham Borough Wellbeing Board	4 (3/1)	Para 4.4.22 of Constitution

2.2 The total number of seats on Committees and Boards is therefore 95 given that the Wokingham Borough Wellbeing Board falls outside the provisions of Section 15(5) of the Local Government and Housing Act 1989. Please note that elected Member

representatives on the Board are the Leader, the Executive Member with responsibility for Childrens Services, Executive Member with responsibility for Health and Wellbeing and one further Opposition Member. Given the fact that there are now two opposition Groups plus the independent member the Council has the power to nominate more than one opposition member if it wished pursuant to section 194(2)(a) of the Health and Social Care Act 2012 and by amending the Constitution at 4.4.22(l) to refer to a representative of each opposition Group and / or independent Members.

2.3 The recommendation is that 95 seats are allocated to give a sound application of the political balance rules. This requires no overall reduction of seats from that stipulated in the Constitution. It ensures that the overall allocation is as close as possible to the proportion of Members on the Council.

### 3. Allocation of Seats

3.1 As set out in Para 1.1 the political balance of the Council currently stands as follows:

	<b>Number of Members</b>	<b>Political Composition %</b>
Liberal Democrat Group	26	49%
Conservative Group	22	42%
Labour Group	5	9%
Independent	1	
	<b>53</b>	<b>100%</b>

3.2 As stated in the introductory section of this report, the legislation requires political groups to be included in political proportionality calculations. As a result, the Independent Member listed in the table above, is not included in these calculations. In allocating seats on Committees, the Council must give effect, so far as reasonably practical, to the principles contained in Section 15(5) of the Local Government and Housing Act 1989 which are summarised below:

- a) Not all seats on any Committee are to be allocated to the same political group;
- b) The majority of seats on any Committee must be allocated to the majority Group;
- c) Subject to a) and b) above, the total number of seats on ordinary Committees must be allocated to each political Group in the same proportion as their representation on the Council;
- d) Subject to a) to c) above, the number of seats on any Committee must be the same proportion as the political Groups representation on full Council.

3.3 In accordance with 3.2 d) above the number of seats on ordinary Committees will be allocated in the same proportion as the political Groups' representation on full Council which is as set out in Para 3.1 above. This is subject to the application of rules a) to c) in Para 3.2 above. This means the principal rule is that not all seats are allocated to the same group and that the majority of seats on a committee are allocated to the majority group.

3.4 Therefore In accordance with Section 15(5) of the Local Government and Housing Act 1989, and taking account of the fact that not all seats on any Committee can be allocated to the same political group, and that there is no majority Group it is recommended that the 95 seats set out in Para 2.1 be allocated to each Group as follows:

<b>Committee/Panels/ Board</b>	<b>No of Seats</b>	<b>Liberal Democrat Group</b>	<b>Conservative Group</b>	<b>Labour Group</b>
Audit Committee	7	3	3	1
Licensing and Appeals Committee	13	7	5	1
Overview and Scrutiny Management Committee	11	6	4	1
Children's Services Overview and Scrutiny Committee	7	3	3	1
Climate Emergency Overview and Scrutiny Committee	9	4	4	1
Community and Corporate Overview and Scrutiny Committee	9	4	4	1
Health Overview and Scrutiny Committee	9	4	4	1
Personnel Board	7	4	3	0
Planning Committee	9	4	4	1
Special Council Executive Committee	7	5	2	0
Standards Committee	7	3	3	1
<b>Total</b>	<b>95</b>	<b>47</b>	<b>39</b>	<b>9</b>

#### **4. Appointment to Committees**

4.1.1 Attached at Appendix 1 is a list of Committees and Boards to which Members will be appointed for the 2023/24 Municipal Year. Any further information relating to nominations by the respective Group Leaders will be circulated before or at the meeting.

4.2 The principles of proportionality should also be applied when Members are appointed to Sub Committees, Panels or Working Groups.

#### **5. Chair of Standards Committee**

5.1 Rule 4.2.26 of the Constitution states that "each of the Council's Committees and Boards shall, at its first meeting, prior to proceeding to any other business, elect a Chair and a Vice Chair for the Municipal Year". This contradicts Rule 9.1.1 which states that the Chair of the Standards Committee will be elected as Chair at Annual Council. It is therefore recommended that in order to bring the Standards

Committee into line with all other Committees and Boards that the Chair be appointed at the first meeting of the Committee.

### Analysis of Issues

There are no other issues associated with this decision.

### FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

***The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0	Yes	Revenue
Next Financial Year (Year 2)	£0	Yes	Revenue
Following Financial Year (Year 3)	£0	Yes	Revenue

<b>Other financial information relevant to the Recommendation/Decision</b>
There are no other financial implications associated with this report

<b>Cross-Council Implications</b>
None

<b>List of Background Papers</b>
The Local Government and Housing Act 1989 The Local Government (Committees and Political Groups) Regulations 1990 The Health and Social Care Act 2012 The Council's Constitution

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