

Meeting: Council

Meeting Date: 12 December 2024

Wards: All

Report of: Director of Law and Governance and Monitoring Officer

Subject: Calculation of Political Balance (Proportionality) and arrangements for committees

1. Recommendations

Council are asked to:

- 1.1. Note that the political balance of the Council is:
 - 44 Members of the Labour Party Group
 - 7 Members of the Independent and Green Group
- 1.2. Agree the allocation of seats, as detailed in Table 2 in paragraph 3.9 of this report.

2. Report summary

- 2.1. This report summarises the political balance of the Council following changes in the makeup of political groups and a by-election in Junction Ward on 28 November and sets out matters relating to the allocation of seats to committees. It is recommended that the Council note the political balance of the Council and agree the allocation of seats as detailed in the report.

3. Details

- 3.1. The Council must allocate seats on committees to political groups in accordance with the political balance rules. The rules for the allocation of seats are set out in the Local Government and Housing Act 1989, and the Local Government (Committees and Political Groups) Regulations 1990.

- 3.2. Regulation 8 of The Local Government (Committees and Political Groups) Regulations 1990 states that a political group on the Council is required to have at least two members to be formally constituted.
- 3.3. Section 15.5 of the Local Government and Housing Act 1989 sets out the principles of proportionality as follows:

Section 15: Duty to allocate seats to political groups

15.5 - The principles mentioned in subsection (4) above, in relation to the seats on any body which fall to be filled by appointments made by any relevant authority or committee of a relevant authority, are—

(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.

- 3.4. The legislation does not require the allocation of Chair and Vice-Chair seats to be politically proportionate.

- 3.5. The 'ordinary committees' of the Council are defined in Schedule 1 of the Local Government and Housing Act 1989 as appointments:

(a) to any ordinary committee or ordinary sub-committee of the authority;

(b) to any advisory committee of the authority and to any sub-committee appointed by such an advisory committee; and

(c) to any such body falling within paragraph 2 below as is a body at least three seats on which fall from time to time to be filled by appointments made by the authority or committee.

- 3.6. The bodies to which the legislation applies and the number of seats available on them are listed in Table 1 below.

Table 1: Ordinary committees of the Council and the number of seats available:

Committee:	No. of Seats available
Audit and Risk Committee	5
Children and Young People Scrutiny Committee	8
Corporate Resources and Economy Scrutiny	12
Disciplinary Appeals Committee	5
Employment and Appointments Committee	5
Environment, Climate and Transport Scrutiny	8
Grievance Appeals Committee	5
Grievance Committee	5
Health, Wellbeing and Adult Social Care Scrutiny	8
Homes and Communities Scrutiny Committee	8
Investigating and Disciplinary Committee	5
Licensing Committee	15
Licensing Regulatory Committee	5
Pension Committee	5
Planning Committee	10
Planning Sub-Committee A	5
Planning Sub-Committee B	5
Standards Committee	4
Total number of seats	123

- 3.7. Because of the statutory requirement that membership of sub-committees is drawn from the main committee, it will be necessary to appoint two opposition members to the main Planning Committee, to enable two different members to be appointed to the sub-committees and ensure that *'not all the seats on the body are allocated to the same political group'*. Under Section 15.5 of the Local Government and Housing Act 1989, this increases the number of seats to be allocated to the opposition group from 18 to 19.

3.8. Based on purely on a percentage of the total membership of the authority that each political group holds, the 123 seats available on the 'ordinary' committees would be divided as follows:

Labour Party Group (44 members) = 106 seats (86%)
 Independent and Green Group (7 members) = 17 seats (14%)

However, as there are 19 seats in the 18 qualifying 'ordinary' committees and only 17 seats would be allocated to the opposition group purely on a percentage basis, the allocation of seats would ordinarily need to be adjusted to meet the statutory requirement in Section 15.5 (a) '*that not all the seats on the body are allocated to the same political group*'.

3.9. However, Section 17 of the Local Government and Housing Act 1989 states that the Council may depart from the allocation of seats according to Section 15.5, providing no member votes against the resolution and following agreement between the two political groups, this report is proposing an alternative allocation of seats, detailed in Table 2 below:

Table 2: Proposed allocation of seats on the 'ordinary' committees of the Council

Committee	Total Number of Seats	Labour Group	Independent and Green Group
Audit and Risk Committee	5	4	1
Children and Young People Scrutiny Committee	8	6	2
Corporate Resources and Economy Scrutiny Committee	12	11	1
Disciplinary Appeals Committee	5	5	
Employment and Appointments Committee	5	5	
Environment, Climate and Transport Scrutiny Committee	8	6	2
Grievance Appeals Committee	5	5	
Grievance Committee	5	5	
Health, Wellbeing and Adult Social Care Scrutiny Committee	8	7	1
Homes and Communities Scrutiny Committee	8	6	2
Investigating and Disciplinary Committee	5	4	

Licensing Committee	15	11	4
Licensing Regulatory Committee	5	4	1
Pensions Committee	5	5	
Planning Committee	10	9	1
Planning Sub-Committee A	5	5	
Planning Sub-Committee B	5	4	1
Standards Committee	4	4	
TOTAL	123		

4. Other options considered and the reasons for recommending this proposal

- 4.1. This decision is recommended as it reflects the wishes of all the political groups that make up the Council and Section 17 of the Local Government and Housing Act 1989 states that the Council may depart from the allocation of seats according to Section 15.5 providing that no member votes against the resolution.

5. Key impacts and risks of the proposal

- 5.1. Not applicable.

6. Contribution to the Islington Together 2030 Plan

- 6.1. The Council's committees play an essential role in supporting delivery of the [Islington Together 2030 Plan](#)

7. Consultation and community engagement

- 7.1. Not applicable.

8. Implications

8.1. Financial Implications

- 8.1.1. There are no financial implications associated with this report.

8.2. Legal Implications

- 8.2.1. The rules for the allocation of seats are set out in the Local Government and Housing Act 1989, and the Local Government (Committees and Political Groups) Regulations 1990.
- 8.2.2. Legislation requires that the allocation of seats ensures that not all the seats on a qualifying ordinary committee are allocated to the same political group and that the subsequent allocation of seats should be in proportion to the size of the group.
- 8.2.3. Following agreement between the political groups the Council is utilising the provisions in Section 17 of the Local Government and Housing Act 1989 and proposing the allocation of seats detailed in Table 2, paragraph 3.9 of this report.
- 8.2.4. Once political group allocations have been determined, it is the duty of the Council to exercise the power to make appointments to committees to give effect to the nominations of the political groups concerned.

8.3. Climate Change and Environmental Implications

There are no Environmental Implications associated with this report.

8.4. Equalities Impact Assessment

- 8.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 8.4.2. An Equalities Impact Assessment is not required in relation to this report.

9. Timetable for implementation

- 9.1. Changes to committee appointments made following this decision, and confirmed in an Appointment Report, will be effective from the next working day.

Appendices: None

Relevant decisions / reports: None

Report approval:

Authorised by:

Alison Stuart, Director of Law and Governance and Monitoring Officer

Date: 3 December 2024

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