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Dear Member

**COUNCIL - WEDNESDAY, 13 JULY 2011**

I am now able to enclose, for consideration at the Wednesday, 13 July 2011 meeting of the Council, the following reports that were unavailable when the agenda was printed.

<b>Agenda No</b>	<b>Item</b>	<b>Page</b>
<b>18.</b>	<b>Review of Political Balance</b>	(Pages 323 - 328)

Yours sincerely

June Gurry  
Clerk

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Title: **Review of Political Balance**

Public Agenda Item: **Yes**

Wards Affected: **All wards in Torbay**

To: **Council** On: **13 July 2011**

Key Decision: **No**

Change to Budget: **No** Change to Policy Framework: **No**

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**1. What we are trying to achieve and the impact on our customers**

1.1 To ensure that the places on the Committees are allocated in accordance with the relevant statutory requirements.

**2. Recommendation(s) for decision**

**2.1 That the Council consider the options for the overall political balance of the committees as set out at paragraph A1.3.**

**3. Key points and reasons for recommendations**

3.1 The by-election in the Cockington with Chelston ward held on 23 June 2011 resulted in changes to the political make-up of the Council. There are now 22 Members of the Conservative Group (including the Elected Mayor), 10 Members of the Liberal Democrat Group and 4 Members of the Non-Coalition Group and 1 Labour Member. The political balance is now:

Conservative Group	22 seats	= 59.5%
Liberal Democrat Group	10 seats	= 27%
Non-Coalition Group	4 seats	= 10.8%
Labour	1 seat	= 2.7%

3.2 The change in the political make-up of the Council has resulted in one seat on Committees being transferred from the Conservative Group to the Liberal Democrat Group. Options for proportional distribution are set out at paragraph A1.3.

**For more detailed information on this proposal please refer to the supporting information attached.**

**Caroline Taylor  
Corporate Support Commissioner**

## Supporting information

### A1. Introduction and history

- A1.1 The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political groups in accordance with the size of each group as a whole, unless alternative arrangements are notified to all Members and agreed without any councillor voting against them. The Council is required to observe the following principles as far as it is reasonably practicable:
- (a) that not all seats on the body are allocated to the same group;
  - (b) that the majority of seats on the body are 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 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.
- A1.2 The Standards Committee is excluded from the requirements of political balance.
- A1.3 The Council is required to determine the number of seats on each committee and the allocation of those seats to the political groups and the independent members. Applying the principles of the Local Government and Housing Act 1989 and the supporting Regulations, the following three options for distribution would be proportional (the co-opted members are not included in the calculation for proportionality purposes):

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**Option 1 – change to Harbour Committee:**

<b>Committee</b>	<b>Conservative Group</b>	<b>Liberal Democrat Group</b>	<b>Non-Coalition Group</b>	<b>Labour Member</b>	<b>Total</b>
Overview and Scrutiny Board	6	2	1		9
Audit Committee	4	2			6
Development Management Committee	6	2	1		9
Licensing Committee	8	4	2	1	15
Harbour Committee	5 (-1)	3 (+1)	1		9
Employment Committee	3	1		1	5
Appeals Committee	4	2	1		7
Civic Committee	4	2	1		7
	40	18	7	2	67

**Option 2 – change to Overview and Scrutiny Board:**

<b>Committee</b>	<b>Conservative Group</b>	<b>Liberal Democrat Group</b>	<b>Non-Coalition Group</b>	<b>Labour Member</b>	<b>Total</b>
Overview and Scrutiny Board	5 (-1)	3 (+1)	1		9
Audit Committee	4	2			6
Development Management Committee	6	2	1		9
Licensing Committee	8	4	2	1	15
Harbour Committee	6	2	1		9
Employment Committee	3	1		1	5
Appeals Committee	4	2	1		7
Civic Committee	4	2	1		7
	40	18	7	2	67

**Option 3 – change to Development Management Committee:**

<b>Committee</b>	<b>Conservative Group</b>	<b>Liberal Democrat Group</b>	<b>Non-Coalition Group</b>	<b>Labour Member</b>	<b>Total</b>
Overview and Scrutiny Board	6	2	1		9
Audit Committee	4	2			6
Development Management Committee	5 (-1)	3 (+1)	1		9
Licensing Committee	8	4	2	1	15
Harbour Committee	6	2	1		9
Employment Committee	3	1		1	5
Appeals Committee	4	2	1		7
Civic Committee	4	2	1		7
	40	18	7	2	67

A1.4 Members are asked to note that any decision to waive the requirements of political balance will require a resolution of the Council with no Member voting against.

## **A2. Risk assessment of preferred option**

### **A2.1 Outline of significant key risks**

A2.1.1 There is a statutory requirement to undertake a review of political balance following a change in the political composition of the Council. This review has been completed. Therefore there are no risks unless Members fail to determine the matter.

### **A2.2 Remaining risks**

A2.2.1 None

## **A3. Other Options**

A3.1 The allocation of seats on committees must be proportional to the political composition of the Council unless the Council resolves otherwise with no Member voting against.

## **A4. Summary of resource implications**

A4.1 There are no resource implications.

## **A5. What impact will there be on equalities, environmental sustainability and crime and disorder?**

A5.1 None

## **A6. Consultation and Customer Focus**

A6.1 The Group Leaders have been consulted on the proposals.

## **A7. Are there any implications for other Business Units?**

A7.1 No

## **Appendices**

None

## **Documents available in members' rooms**

None

## **Background Papers:**

The following documents/files were used to compile this report:

None

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