



Meeting: Annual Council

Date: 1 June 2015

Wards Affected: all wards in Torbay

Report Title: Review of Political Balance and Appointments to Committees and Other Bodies

Is the decision a key decision? No

When does the decision need to be implemented? Immediately

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1. Purpose and Introduction

- 1.1 To appoint the Council's committees for the new municipal year. In addition to ensure the committees have appropriate terms of reference and that appointments to those bodies are made in accordance with the relevant statutory requirements.
- 1.2 To appoint the Mayor and Councillors to outside bodies for the next four years.

2. Proposed Decision

- 2.1 **that the overall political balance of the committees, as set out in Appendix 1 to the submitted report, be approved;**
- 2.2 **that, subject to 2.1 above being approved, the committees be appointed with the terms of reference set out in Appendix 2 to the submitted report;**
- 2.3 **that, subject to 2.1 above being approved, nominations be received to fill the seats on the committees;**
- 2.4 **that the outcome of the review and proposed appointments to the outside bodies and other groups for 2015 to 2019 set out in Appendix 3 to the submitted report be approved.**

3. Reason for Decision

- 3.1 The Constitution requires Members at their annual Council meeting to determine which committees to establish for the forthcoming municipal year, their size and terms of reference and the allocation of seats in accordance with the political balance rules.
- 3.2 Following the local elections on 7 May 2015 the Council is required to agree the appointments to outside bodies and other groups for the next four years.

Supporting Information

4. Position

4.1 The election held on 7 May 2015 resulted in changes to the political composition of the Council. There are now 26 members of the Conservative Group (including the elected Mayor), 7 members of the Liberal Democrat Group, 3 members of the Independent Group and 1 UK Independence Party (UKIP). The political balance is now:

Conservative Group	26 seats	= 70.2%
Liberal Democrat Group	7 seats	= 18.9%
Independent Group	3 seats	= 8.10%
UK Independence Party (UKIP)	1 seat	= 2.70%

4.2 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.

4.3 The Executive is excluded from the requirements of political balance.

4.4 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 distribution of seats (attached in the table set out in Appendix 1) would be proportional (co-opted members are not included in the calculation for proportionality purposes).

4.5 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.

- 4.6 The Council has carried out an extensive review of its appointments to outside organisations and other groups which has informed the appointments process for 2015. Appointments to outside bodies are made every four years (where possible) following the whole Council elections.
- 4.7 Torbay is entitled to one place on the Devon and Cornwall Police and Crime Panel and the Council is required to appoint its representative each year. The Police Authority (Community Engagement and Membership) Regulations 2010, which came into force on 17 March 2010, amends Regulation 8 of the Police Authority Regulations (appointment of members by relevant councils) and gives provision for Elected Mayor's to be appointed as the authority's representative if that person and the Council indicate that they wish them to be appointed as their representative. The Mayor has confirmed that he does/does not wish to take up this appointment. The Council's representative on the Devon and Cornwall Police and Crime Panel also sits on the Safer Communities Executive.

5. Possibilities and Options

- 5.1 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.

6. Fair Decision Making

- 6.1 The appointments have regard to equal opportunities.

7. Public Services (Social Value) Act 2012

- 7.1 The Public Services (Social Value) Act 2012 is not applicable as no procurement is being undertaken.

8. Risks

- 8.1 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.

Appendices

Appendix 1 Political balance of Committees

Appendix 2 Appointments to Committees

Appendix 3 – Appointments to Outside Bodies and Other Groups

Additional Information

None