

Report To: Council

Date of Meeting: 22 May 2012

Lead Officer: Head of Legal and Democratic Services

Report Authors: Gary Williams and Steve Price

Title: Review of Political Balance and Committee Membership

1. What is the report about?

This report facilitates the statutory review of political balance and considers committee membership requirements.

2. What is the reason for making this report?

The report contains information to assist the Council and the political groups to allocate seats on various committees in accordance with statutory requirements.

3. What are the Recommendations?

- 3.1 That Members consider the allocation table used to achieve a politically balanced allocation of committee seats (appendix 1).
- 3.2 That Members consider and approve the distribution of seats as set out in appendix 2 and that the political groups notify the Head of Legal and Democratic Services of named members to their allocated seats at the earliest opportunity (with the exception of Cabinet appointments - see paragraph 4.6 i).
- 3.3 That Council appoints the following:
- (i) The chair plus 10 other non-Cabinet councillors of the Democratic Services Committee (see paragraph 4.6 ii)
 - (ii) 6 non-Cabinet councillors to the Corporate Governance Committee (see paragraph 4.6 iii)
 - (iii) 1 councillor to the Fostering and Joint Adoption Panels (see paragraph 4.6 vi)
 - (iv) 2 councillors to the Standards Committee (see paragraph 4.6 viii)

3.4 That Council delegates to the Corporate Governance Committee the role of interviewing candidates for the position of lay-member on the committee and to make recommendations on the appointment to full Council.

4. Report details.

4.1 The statutory political balance provisions of the Local Government and Housing Act 1989 and Regulations made thereunder require the Council to carry out following an election and at least annually thereafter a review of the allocation of seats on the various committees and panels. This can take place at or as soon as practicable after the Council's Annual Meeting.

4.2 The statutory obligation is to give effect so far as reasonably practicable to four principles set out in the Act which are aimed at avoiding single party committees whilst allowing a majority party the majority of the seats on a committee. It is intended that the overall number of seats that a Group has is proportionate to the strength of the Group on Council i.e. if a Group has 10 members then so far as reasonably practicable it can expect to have 10 seats in every 47 seats. Likewise, and again so far as reasonably practicable, a member not belonging to a Group ought to have 1 seat in every 47. It is possible for Council to depart from political balance, but only if no member votes against such a proposal.

4.3 The key words are 'so far as reasonably practicable' as the number and differing sizes of the Groups (plus any non-aligned members) means that it is seldom possible to achieve a precisely balanced number of members for all committees. The information on group sizes is based on the information available at the time of publishing this report and any changes that occur before the meeting will be considered and reported at the meeting on the 22 May.

4.4 The table at Appendix 2 sets out the various committees/panels of the Council that meet on a regular basis and the total number of "available" seats which need to be distributed on a politically balanced basis. It is intended to achieve a distribution of seats that gives overall political balance. However as not all Groups may wish to take up their full allocation of seats some subsequent redistribution may be necessary.

4.5 The Local Government Measure (Wales) 2011 requires the establishing of 2 new committees; an Audit Committee and a Democratic Services Committee.

4.6 Some issues for the Groups to consider when appointing their members to committees are:

- i. The Leader of the Council appoints members of Cabinet on a politically balanced basis in consultation with group leaders. If a group declines to take all or some of the Cabinet places available to it, the places not taken can be reallocated by the Leader without adherence to political balance considerations. Cabinet Members cannot be members of a scrutiny

committee, the Corporate Governance Committee or the Democratic Services Committee.

- ii. At the Annual Meeting on the 15 May Council decided that the membership of the new Democratic Services Committee required under the Local Government Measure would be 11 councillors which would not include a Cabinet member. This committee will be politically balanced.
- iii. At the Annual Meeting Council also decided that the Corporate Governance Committee would be the new Audit Committee required under the Measure. The Corporate Governance Committee membership will consist of 6 elected councillors (not to include a Cabinet member) and a lay-member, all to be appointed by full Council (see recommendations to this report). Under the Council's Constitution membership will include the Vice Chairman of the Council and Corporate Governance members cannot also be members of a scrutiny committee.
- iv. The Local Joint Consultative Committee (LJCC) is an internal staff consultative committee where employer representatives meet with union representatives and includes 1 Cabinet member, ideally the Cabinet member with responsibility for HR matters.
- v. The Corporate Health, Safety and Well-being Committee is an internal staff consultative committee with 8 councillors appointed by the political groups and 8 trades union representatives.
- vi. A member is required for the Fostering Panel and the Joint Adoption Panel. These roles have been undertaken by Councillor Chamberlain-Jones over recent years and her role as Chairman of the Council does not prevent her from continuing her membership of the panels if required.
- vii. SACRE is the Standing Advisory Council for Religious Education, a statutory committee for every local education authority. It has an advisory remit on raising standards in religious education and collective acts of worship. In addition to its 8 councillor members, SACRE has representatives from religious denominations, teacher associations and co-opted members.
- viii. The Council's Standards Committee membership includes 2 county councillors, previously Huw Jones and George Green.

5. How does the decision contribute to the Corporate Priorities?

The fair distribution of committee seats is essential to elected members and the democratic working of the Council.

6. What will it cost and how will it affect other services?

See section 8 for costs. This report does not affect other services.

7. What consultations have been carried out?

Not strictly applicable as the review is a statutory requirement. The report itself is intended as a means of consulting with Council and the political groups who are requested to confirm their allocations with the Head of Legal and Democratic Services.

8. Chief Finance Officer Statement

There are no direct costs arising from this report. The remuneration of members for undertaking specific roles e.g. on Cabinet or chairing a committee will be covered in separate reports to full Council.

9. What risks are there and is there anything we can do to reduce them?

Not applicable.

10. Power to make the Decision

The Local Government and Housing Act 1989.