

MUNICIPAL YEAR 2014/15 REPORT NO. 2

MEETING TITLE AND DATE:
COUNCIL
11th June 2014

REPORT OF:
Director of Finance, Resources
and Customer Services

Contact Officer:
John Austin
020 8379 4094 email
John.Austin@enfield.gov.uk

AGENDA - PART: 1	ITEM: 11
SUBJECT: MEMBERSHIP OF COMMITTEES AND PANELS WARDS: All	

1. EXECUTIVE SUMMARY

- 1.1 Council is required to determine the constitution and political balance of the committees, joint committees and panels that have been set up for the purpose of discharging its functions.
- 1.2 The proposals detailed within the report support this requirement.

2. RECOMMENDATIONS

- 2.1 That as a result of the review, the seats allocated to each political party on the committees and boards to which Section 15 of the Local Government and Housing Act 1989 apply, be as set out in Appendix A of this report.
- 2.2 In accordance with paragraph 3.3 of the report, Council resolves without dissent that the rules of political proportionality should not apply to those bodies marked with an asterisk * on Appendix A.
- 2.3 To note that the rules on political proportionality have been disapplied in relation to the allocation of seats on the Health & Wellbeing Board.

3. BACKGROUND

- 3.1 Section 15 of the Local Government and Housing Act 1989 imposes a duty on Councils to review the representation of different political groups on bodies to which the Council makes appointments. The Act requires that the review should be held at the Annual Meeting or as soon as practicable after that meeting or when the membership of the Council changes.

- 3.2 The Act provides four principles concerning political representation that must be observed when conducting a review. The four principles are:-
- (a) That not all seats are allocated to the same political party.
 - (b) That the political group with the majority of seats should have the majority of seats on each committee.
 - (c) Subject to (a) and (b) that the total number of seats allocated to political groups on all committees (to which Section 15 of the Act applies), shall be in the same proportion as the total number of seats on the authority held by each political group.
 - (d) Subject to (a) to (c) that the number of seats allocated to each political group on a committee (to which Section 15 of the Act applies), shall be the same as the proportion of the total number of seats on the authority held by each political group.
- 3.3 The fourth principle can be waived if the members of the Council agree with no member voting against. Where the fourth principle is waived the allocation of seats on the committee in question must still be included in the calculation as to the total number of seats held by each political group on all committees.
- 3.4 The committees and boards to which the provisions of Section 15 of the Act apply are shown in Appendix A together with the overall political balance of the Council. This list reflects the changes proposed to the Council's political management structure, which are due to be considered under item 8 on the Annual Council Meeting agenda.
- 3.5 Regulation 7 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 has disapplied the political proportionality requirements in relation to Health & Wellbeing Boards. This means that it is up to individual Councils to decide the approach to councillor membership on their Health and Wellbeing Boards, with Enfield having agreed (March 2013) to appoint 4 Cabinet Members.

5. ALTERNATIVE OPTIONS CONSIDERED

None – Council is required under Section 15 of the Local Government and Housing Act 1989 to review the representation of different political groups on bodies to which it makes appointments whenever there is a change in political representation. The Act requires that the review should be held at the Annual Meeting or as soon as practicable after that meeting or the change has occurred.

6. REASONS FOR RECOMMENDATIONS

- 6.1 There is a duty imposed on the Council to review, at the Annual Meeting or as soon as possible thereafter, the political balance of bodies to which it makes appointments.
- 6.2 The bodies in question are the committees and boards shown in the table contained in the appendix to this report.
- 6.3 The table shows the political balance of the Council and the number of seats suggested for allocation to each political party in respect of each committee or board, so as to comply with the provisions of Section 15 of the Local Government and Housing Act 1989.

7. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES & CUSTOMER SERVICES AND OTHER DEPARTMENTS

7.1 Financial Implications

There are no financial implications arising from the recommendations contained within this report.

7.2 Legal Implications

- 7.2.1 There is a specific duty imposed on the Council to review each year at the Annual meeting, or as soon as practicable thereafter, the representation of different political groups. The legislation provides that the Council may make alternative arrangements to the 'proportionality' principles within this report only by a unanimous vote. However a political group may decide to offer a seat on a committee or panel to another political group. This does not affect the proportionality principles as it remains within the gift of that political group to determine how it wishes to exercise that discretion, if at all.
- 7.2.2 The recommendations in this report are in accordance with the power set out within Section 15 of the Local Government and Housing Act 1989.
- 7.2.3 Regulation 7 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013. modifies sections 15-16 and Schedule 1 of the Local Government Housing Act 1989 to disapply political proportionality requirements for section 102 committees in respect of health and wellbeing boards – this means that it is up to individual councils to decide the approach to councillor membership of health and wellbeing boards.

8. KEY RISKS

The Council has a statutory duty to review at its Annual meeting, or as soon as practicable thereafter, the representation of different political groups. The proposals detailed in this report support that duty.

9. EQUALITIES IMPACT IMPLICATIONS

The review and proposals within this report will help to ensure the fair, equal and consistent allocation of seats between each political party on Council bodies. The proposals have not been subject to a detailed equalities impact assessment.

10. IMPACT ON COUNCIL PRIORITIES

Fairness for All, Growth & Sustainability and Strong Communities

The review will have a positive impact on members representational roles and a consequential impact on communities and the Council's overall governance arrangements.

11. PERFORMANCE MANAGEMENT IMPLICATIONS

None identified.

12. PUBLIC HEALTH IMPLICATIONS

None identified

Background Papers

None.