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| <p>Non-Executive Report of the:</p> <p><b>Council</b></p> <p>Wednesday, 30 September 2020</p> |  <p><b>TOWER HAMLETS</b></p> |
| <p><b>Report of:</b> Corporate Director, Governance and Monitoring Officer</p>                | <p><b>Classification:</b><br/>Open (Unrestricted)</p>   |
| <p><b>Proportionality and Allocation of Places on Committees of the Council 2020/21</b></p>   |   |

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| <b>Originating Officer(s)</b> | Matthew Mannion, Head of Democratic Services |
| <b>Wards affected</b>         | All wards                                    |

### **Executive Summary**

This report reviews proportionality as required by section 15 of the Local Government & Housing Act 1989 ('The 1989 Act'); recommends the establishment of committees and sub-committees as set out in the Council's Constitution; and proposes the allocation of places on those Committees between the political groups represented on the Authority.

The nominations from the groups for membership of those Committees and Sub-Committees in accordance with the allocation of places; and certain other bodies not covered by the proportionality rules, will follow at Agenda Item 8.

Part B, Section 26 of the constitution states that the Annual Council Meeting will establish an Overview & Scrutiny Committee and such other Committees/ Sub-Committees as it considers appropriate to deal with matters which are neither Executive Functions nor reserved to the Council. The Committees, Sub-Committees and other bodies appointed by the Council are listed at Part B, Sections 19-21 of the constitution.

### **Recommendations:**

The Council is recommended to agree:

1. The review of proportionality as at Section 3 of this report and the allocation of seats on Committees and Panels for the Municipal Year 2020/21 as set out at paragraph 3.6.
2. To establish the Committees set out for the municipal year 2020/21, and for places to be allocated on those Committees, as set out at Paragraph 3.6.

## **1. REASONS FOR THE DECISIONS**

- 1.1 This report establishes the Council's Non-Executive Committees and reviews the proportionality as required by Section 15 of the Local Government and Housing Act 1989 ('The 1989 Act').

## **2. ALTERNATIVE OPTIONS**

- 2.1 Council could determine a different arrangement of Committees to perform the required decision making and scrutiny functions.

## **3. DETAILS OF THE REPORT**

- 3.1 Section 15(1) of the 1989 Act requires the Council at, or as soon as practicable after, the Annual Meeting to carry out a review to determine the allocation to the political groups of seats on the Committees/ Panels of the Council. The principles which must be adopted are:
- (i) that in relation to each body covered by the Act, all seats are not allocated to the same political group;
  - (ii) that the majority of seats on each body must go to the political group with the majority on the Council (if any);
  - (iii) that subject to (i) and (ii) the number of seats on the total of all the ordinary Committees/ Panels of the authority allocated to each group bears the same proportion as that group's proportion of the seats on the full Council; and
  - (iv) that subject to the above three principles, the number of seats on each ordinary Committee of the authority allocated to each political group bears the same proportion as that group's proportion of the seats on the full Council.
- 3.2 Once the political groups have been allocated their places in accordance with the above rules, the Council may appoint ungrouped members to any remaining positions.
- 3.3 Neither the Cabinet, any executive sub-groups of the Cabinet, nor the Tower Hamlets Health and Wellbeing Board, are covered by the requirement for proportionality.

3.4 The political composition of the Council is as follows:

| <b>GROUP</b> | <b>SEATS<br/>(on<br/>Council)</b> | <b>PROPORTION ON<br/>COUNCIL</b> | <b>ENTITLEMENT<br/>(to seats on<br/>Committees)</b> |
|--------------|-----------------------------------|----------------------------------|---|
| Labour       | 41                                | 91.11%                           | 63.78 (64)  |
| Conservative | 2                                 | 4.44%                            | 3.11 (3)  |
| Ungrouped    | 2                                 | 0*                               | 3 (remainder)                                       |
|              | 45                                |                                  | 70  |

\* Ungrouped Councillors are not included in the proportionality calculation. As two Councillors are required to form a group the Liberal Democrat and Aspire Councillors are included in the 'ungrouped' designation above.

### **Allocation of Places on Committees**

3.5 According to the above calculation the Labour Group would be entitled to 64 seats on these Committees, with the Conservative Group receiving 3 and a remainder of three which would be available for the ungrouped Councillors. However, as set out in Paragraph 3.1(i) above, no group can be allocated all the seats on a specific Committee. The allocations have been adjusted to meet that rule. The Labour Group has been allocated 62 seats and the two seats left over have been allocated to the Conservative Group as the other political group in the proportionality calculations.

3.6 Applying the above principles, the proposed allocation of places on the Committees established by the Council for the municipal year 2020/21 and covered by the requirement for proportionality, are listed below. The allocations for the remainder of the municipal year or until the next review of proportionality, whichever is the sooner, is as follows:

| <b>Committee</b>  | <b>Total</b> | <b>Labour</b> | <b>Conservative</b> | <b>Ungrouped</b> |
|---|--------------|---------------|---------------------|------------------|
| <b>Overview and Scrutiny Committee (plus 6 co-optees)</b> | 11           | 10            | 1                   |                  |
| <b>Audit Committee</b>                                    | 8            | 7             | 1                   |                  |
| <b>Development Committee</b>                              | 7            | 6             | 0                   | 1                |
| <b>Strategic Development Committee</b>                    | 8            | 7             | 0                   | 1                |
| <b>General Purposes Committee</b>                         | 9            | 8             | 1                   |                  |
| <b>Licensing Committee</b>                                | 15           | 14            | 1                   |                  |
| <b>Pensions Committee</b>                                 | 7            | 6             | 1                   |                  |
| <b>Standards (Advisory) Committee (plus 5 Co-optees)</b>  | 5            | 4             | 0                   | 1                |
| <b>TOTALS</b>   | 70           | 62            | 5                   | 3                |

- 3.7 This will result in the allocation of all committee places amongst the political groups in accordance with the rules set out in the 1989 Act.
- 3.8 It is for the Overview and Scrutiny Committee to agree arrangements for its own sub-committees and it is due to formally set out its sub-committee arrangements at its upcoming committee meeting. However, for a sub-committee with the current 6 Members, allocation of places would be as follows:

| <b>Committee</b>              | <b>Total</b> | <b>Labour</b> | <b>Conservative</b> |
|-------------------------------|--------------|---------------|---------------------|
| <b>Scrutiny Sub-Committee</b> | <b>6</b>     | <b>5</b>      | <b>1</b>            |

#### **4. EQUALITIES IMPLICATIONS**

- 4.1 The purpose of the report is to ensure all political groups receive an appropriate allocation of Non-Executive Committee seats.

#### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
  - Consultations,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding.
- 5.2 None specific to this report.

#### **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 There are no direct financial considerations arising from this report.

#### **7. COMMENTS OF LEGAL SERVICES**

- 7.1 The legal considerations are set out in the main body of the report.

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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- None.

## **Appendices**

- None.

### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- None.

#### **Officer contact details for documents:**

N/A