


<p>Non-Executive Report of the:</p> <p>Council</p> <p>15 May 2024</p>	
<p>Report of: Linda Walker, Director of Legal and Monitoring Officer</p>	<p>Classification: Open (Unrestricted)</p>
<p>PROPORTIONALITY AND ALLOCATION OF PLACES ON COMMITTEES OF THE COUNCIL 2024/25</p>	

Originating Officer(s)	Matthew Mannion, Head of Democratic Services
Wards affected	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 political 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, is provided in a separate report to the Annual Council Meeting.

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:

1. Consider the review of proportionality as at Section 3 of this report and the allocation of seats on Committees and Sub-Committees for the Municipal Year 2024/25 as set out at paragraph 3.4.
2. Agree to establish the Committees set out for the municipal year 2024/25, and for places to be allocated on those Committees, as set out at Paragraph 3.6.
3. To note that the Monitoring Officer is authorised to approve the appointment of Councillors required to fill positions that fall vacant during the municipal year in line with the proportionality arrangements set out in this report from nominations received from the political groups.
4. Agree that the Monitoring Officer be authorised to approve the appointment of ungrouped Councillors to any committee places not allocated by the Council to a political group, after consultation with those Councillors and the Speaker of the Council where there is only one application for the position (where there is more than one application these will be presented to Council for decision).

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 and could also agree different changes to the proportionality on specific Committees to meet the same overall proportionality rules.

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:

GROUP	SEATS (on Council)	PROPORTION ON COUNCIL	ENTITLEMENT (to seats on Committees)
Aspire	24	53.33%	39.97 (40)
Labour	18	40%	30 (30)
Ungrouped	3	0*	5 (remainder) – but see Para 3.5 below
	45		75

* Ungrouped Councillors are not included in the proportionality calculation. As two Councillors are required to form a group the Conservative, Green and Independent Councillors are included in the 'ungrouped' designation above.

Allocation of Places on Committees

3.5 According to the above calculation the Aspire Group would be entitled to 40 seats on these Committees, with the Labour Group being entitled to 30 and the remaining 5 being available for ungrouped Members. However, there is also a requirement in the above Act that the Aspire Group must have a majority on every Committee. This results in their allocation increasing to 42 and the ungrouped allocation consequently reducing to 3.

3.6 Applying the above principles, the proposed allocation of places on the Committees established by the Council for the municipal year 2024/25 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:

Committee	Total	Aspire	Labour	Ungrouped
Licensing Committee	15	8	6	1
Overview and Scrutiny (plus 2 co-optees)	9	5	4	
Strategic Development Committee	9	5	3	1
General Purposes Committee	9	5	3	1
Audit Committee	7	4	3	
Human Resources Committee	7	4	3	
Development Committee	7	4	3	
Pensions Committee	7	4	3	
Standards Advisory Committee (plus 5 co-optees)	5	3	2	
TOTALS	75	42	30	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 but Council may wish to note the political balance of a 7 seat sub-committee would be:

Committee	Total	Aspire	Labour
Scrutiny Sub-Committee	7	4	3

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 principles of proportionality for allocation of places on committees are set out in Section 15 of the Local Government and Housing Act 1989. These principles require 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. Further detailed rules for the allocation of seats on committees are set out in the Local Government (Committees and Political Groups) Regulations 1990.

7.2 Part B. Section 24 (Functions of the Chief Executive, Monitoring Officer, Chief Officers and Corporate Directors) of the Constitution authorises the Monitoring Officer to make appointments to the Council's Committees in line with agreed proportionality calculations as nominated by the Council's political groups.

7.3 The proposals set out in this report comply with the above legislation and guidance, and with the Council's Constitution.

7.4

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