

**LONDON BOROUGH OF TOWER HAMLETS**

**ANNUAL COUNCIL MEETING - WEDNESDAY 16<sup>th</sup> MAY 2012**

**REVIEW OF PROPORTIONALITY AND ESTABLISHMENT OF  
COMMITTEES AND PANELS OF THE COUNCIL**

**REPORT OF THE SERVICE HEAD, DEMOCRATIC SERVICES**

**1. SUMMARY**

- 1.1 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 panels in accordance with the Constitution and sets out the allocation of places on those committees and panels between the political groups represented on the Council.
- 1.2 The nominations from the groups and others for membership of the committees/panels in accordance with this allocation and other bodies not covered by the proportionality rules, will follow at the next agenda item.
- 1.3 Part 4 of the Constitution states that the Annual Council Meeting will establish an Overview & Scrutiny Committee, a Standards Committee and such other committees/panels as it considers appropriate to deal with matters which are neither reserved to the Council nor executive functions. Other bodies appointed by the Council are listed at Part 3 of the Constitution.
- 1.4 The Localism Act 2011 deleted the requirement to establish a Standards Committee. A report elsewhere on the Council agenda proposes that the Council establish a Standards Advisory Committee as part of the new Standards regime to apply from 1<sup>st</sup> July 2012. Other than this, and minor changes to the size of the Appeals Committee and Strategic Development Committee to improve representation, this report proposes no changes to the committee structure that was in place during 2011/12.
- 1.5 Following the by-elections in Spitalfields & Banglatown and Weavers wards in April and May 2012, the political composition of the Authority remains as at the last review of proportionality on 21<sup>st</sup> September 2011.

**2. RECOMMENDATIONS**

- 2.1 That the review of proportionality be noted.
- 2.2 That committees and panels be established for the Municipal Year 2012/13, and places be allocated on those committees and panels, as set out at paragraph 4.2 overleaf.

2.3 That the existing Standards Committee (not subject to proportionality) be re-established for the period until the effective date of the new Standards regime (i.e. until 30<sup>th</sup> June 2012).

2.4 That the membership of the new Standards Advisory Committee to be established from 1<sup>st</sup> July 2012 include Councillors as listed at paragraph 4.2 below (who may not include the Mayor or more than one other Cabinet Member); and up to seven co-opted (i.e. non-Councillor) members, one of whom shall chair the Advisory Committee; and that Article 9 of the Council's Constitution be amended accordingly.

### **3. REVIEW OF PROPORTIONALITY**

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;
- (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/panel 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 The Cabinet and any executive sub-groups of the Cabinet are not covered by the requirement for proportionality.

3.4 The political composition of the Council is currently as follows:

| <b>Group</b> | <b>seats</b> | <b>%</b> |
|--------------|--------------|----------|
| Labour       | 32           | 62.74    |
| Conservative | 7            | 13.73    |
| Respect      | 2            | 3.92     |
| (Ungrouped*) | <u>10</u>    |          |
| Total        | 51           |          |

\* NB: For the purposes of the 1989 Act an individual Councillor cannot constitute a political group. The 'ungrouped' category above therefore includes Councillor Stephanie Eaton (Liberal Democrat) as well as the nine 'independent' Councillors.

#### 4. ESTABLISHMENT OF COMMITTEES AND PANELS

4.1 In accordance with the Constitution it is recommended that the Council establish the committees and panels listed below for the municipal year 2012/13. These provide for a total of 91 committee/panel seats, which will be allocated to the political groups in proportion to their numbers on the full Council as follows:-

Labour: 57 places  
 Conservative: 13 places  
 Respect: 4 places

4.2 The remaining 17 places are available for ungrouped members. Applying the principles in the Act as closely as is reasonably practicable the proposed allocation of places on the committees and panels for the municipal year 2012/13 is as follows:-

| <b>Committee</b>   | <b>Total</b> | <b>Labour</b> | <b>Conser-<br/>vative</b> | <b>Respect</b> | <b>Un-<br/>grouped</b> |
|--|--------------|---------------|---------------------------|----------------|------------------------|
| Overview & Scrutiny Committee<br>(plus 6 co-optees)              | 9            | 6             | 1                         | 1              | 1                      |
| Health Scrutiny Panel  | 7            | 5             | 1                         |                | 1                      |
| Appeals Committee  | 9            | 6             | 1                         |                | 2                      |
| Audit Committee  | 7            | 5             | 1                         |                | 1                      |
| Development Committee  | 7            | 4             | 1                         | 1              | 1                      |
| Strategic Development Committee                                  | 9            | 5             | 2                         |                | 2                      |
| General Purposes Committee                                       | 7            | 4             | 1                         |                | 2                      |
| Human Resources Committee  | 7            | 4             | 1                         |                | 2                      |
| Licensing Committee  | 15           | 9             | 2                         | 1              | 3                      |
| Pensions Committee   | 7            | 5             | 1                         |                | 1                      |
| Standards Advisory Committee (from 1.7.12)<br>(plus 7 co-optees) | 7            | 4             | 1                         | 1              | 1                      |

4.3 Each political group has been invited to submit nominations to the positions allocated to that group and the 'ungrouped' Members have been invited to

indicate their preferences for membership. A schedule of proposed appointments will be tabled at the Annual Council meeting.

**5. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)**

5.1 The legal position is set out in the main body of the report.

**6. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

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

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**LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED)**

**LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT**

**Brief description of background papers:**

**Name and telephone number of holder and address where open to inspection**

- None