


<p>Non-Executive Report of the:</p> <p>Council</p> <p>Wednesday, 29 September 2021</p>	
<p>Report of: Janet Fasan, Director of Legal and Monitoring Officer</p>	<p>Classification: Open (Unrestricted)</p>
<p>PROPORTIONALITY AND ALLOCATION OF PLACES ON COMMITTEES OF THE COUNCIL 2021/22</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.

A change in the political composition of the Council has occurred following the recent election of Councillor Kabir Ahmed and the creation of a new Aspire political group on the Council.

Consequent to this change, the Council must review the allocation of places on Committees and other bodies covered by the proportionality requirements in the Local Government and Housing Act 1989. The proposed new committee allocations are set out at paragraph 3.6 overleaf.

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 2021/22 as set out at paragraph 3.6.
2. Note the Committees set out for the municipal year 2021/22 listed in paragraph 3.6 as agreed at the Annual Council meeting held on Wednesday 19 May 2021.
3. Agree any changes to the memberships (and substitutes) of those Committees as submitted to Council for approval.
4. Agree that the Monitoring Officer be 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.
5. 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.
6. Agree that the Overview and Scrutiny Committee and General Purposes Committee should now consider any necessary proportionality changes to their sub-committees following this report.

1. REASONS FOR THE DECISIONS

- 1.1 Changes to the political composition of the Council require a review of the proportionality calculations for the Council's Committees.

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:

GROUP	SEATS (on Council)	PROPORTION ON COUNCIL	ENTITLEMENT (to seats on Committees)
Labour	40	88.89%	60.45 (60)
Aspire	2	4.44%	3.02 (3)
Conservative	2	4.44%	3.02 (3)
Ungrouped	1	0*	2 (remainder)
	45		68

* Ungrouped Councillors are not included in the proportionality calculation. As two Councillors are required to form a group the Liberal Democrat Councillor is 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 60 seats on these Committees, with the Conservative and Aspire Groups receiving 3 and a remainder of two which would be available for the ungrouped Councillor.

3.6 Applying the above principles, the proposed allocation of places on the Committees established by the Council for the municipal year 2021/22 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	Labour	Aspire	Conservative	Ungrouped
Overview and Scrutiny Committee (plus 6 co-optees)	9	8			
Audit Committee	8	7			
Development Committee	7	6			
Strategic Development Committee	8	7			
General Purposes Committee	9	8			
Licensing Committee	15	14			
Pensions Committee	7	6			
Standards Advisory Committee (plus 5 Co-optees)	5	4			
TOTALS	68	60	3	3	2

Note – specific committee allocations for opposition groups/ungrouped councillors to be determined at the meeting.

- 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 review 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:

Committee	Total	Labour	Aspire/ Conservative*
Scrutiny Sub-Committee	6	5	1

*The final seat on each sub-committee should be allocated to either the Aspire or Conservative Group.

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. At the Annual Meeting of Council on 19 May 2021, approval was given to the Director of Legal & Interim Monitoring Officer to approve appointments of Councillors in accordance with recommendation 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