

Non-Executive Report of the:  <b>Council</b>  Wednesday, 29 September 2021	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Janet Fasan, Director of Legal and Monitoring Officer	<b>Classification:</b> Open (Unrestricted)
<b>Appointment of Political Advisors</b>	

<b>Originating Officer(s)</b>	Jill Bayley, Deputy Monitoring Officer
<b>Wards affected</b>	(All Wards);

### Executive Summary

This report concerns the role of Political Advisors to support the political groups represented on the Council, in the changed circumstances now that three political groups exist on the Council.

### Recommendations:

The Council is recommended to:

1. Determine the allocation of political advisors between the Conservative Group and the Aspire Group, in particular whether the existing second political advisor post should be retained by the Conservative Group.

## 1. REASONS FOR THE DECISIONS

- 1.1 Section 9 of the Local Government and Housing Act 1989 ('The 1989 Act') governs the appointment of political assistants (known in Tower Hamlets as 'Political Advisors') to provide assistance to political groups represented on the Council. An authority may choose to establish such posts in accordance with the framework set out in the Act. This provides that, where the members of the authority are divided into different political groups, a political group shall qualify for a political assistant if:-

- (a) the membership of that group comprises at least one-tenth of the membership of the authority; and
- (b) where only one group has a membership of one-tenth of the membership

of the authority, then that group and one other group which is the one with the next largest membership shall each have a political assistant.

- 1.2 The legislation states that, where there is more than one group with the next largest membership after the largest group (in other words, there are two or more groups of the same size), the authority shall determine which of these smaller groups shall qualify for a political assistant post. Where there is only one group with more than one-tenth of the membership of the authority, only two political assistants may be allocated.
- 1.3 Political assistants must be appointed on a fixed term contract extending no further than just beyond the next council elections; each group may only have one assistant and there must be no more than three such posts in total (see above for further restrictions on numbers). Regulation 18 of the Local Government (Committees and Political Groups) Regulations 1990 (as amended) provides that 'where [an authority] ... makes an appointment to a post for the purposes of section 9 of the 1989 Act the authority shall from time to time review allocations made for the purposes of that section'.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The Council may choose which opposition group should have the political advisor post. If the majority group has a political advisor a minority group must also have a political advisor.

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

- 3.1 Tower Hamlets Council has appointed Political Advisors in accordance with the 1989 Act during successive administrations. After the elections in 2018 the Council appointed one full-time post to the Labour Group and one part-time post to the Conservative Group (0.2FTE).
- 3.2 In accordance with the legislation, both appointments were fixed term and due to terminate just after the next Council election in May 2022.
- 3.3 After the by-election held on 12 August 2021, the Council's political composition is now:  
Labour Group – 40 Councillors  
Conservative Group – 2 Councillors  
Aspire Group – 2 Councillors  
Liberal Democrats – 1 Councillor
- 3.4 As the Conservative Group and Aspire Group are now the same size, both are eligible for a political assistant post if the Council decides to determine that one should be allocated. However, because only one Group has a membership of more than one tenth of the membership of the authority (the Labour Group), only two political advisor posts may be allocated in total and it

is for the Council to determine whether the Conservative Group or the Aspire Group should receive the allocation.

#### **4. OTHER STATUTORY IMPLICATIONS**

4.1 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.
- Data Protection / Privacy Impact Assessment.

4.2 Not relevant to this report.

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

5.1.1 Any costs arising from a decision based on this report will need to be contained within approved budgets.]

#### **6. COMMENTS OF LEGAL SERVICES**

6.1.1 The legal position is set out in the 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:**

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