

MEETING: Annual Council

DATE: Wednesday 25 May 2011

www.eastbourne.gov.uk

SUBJECT: Application of Political Balance Rules to the

Allocation of Seats on Council Bodies

REPORT OF: Local Democracy Manager

Purpose: To bring before the annual Meeting information

governing the allocation of seats for the 2011/12 Council year in order that proposals and nominations can be put before the Annual meeting of the Council.

Contact: David Robinson, Local Democracy Manager. Telephone

01323 415022 or internally on extension 5022.

1. Introduction

1.1 Group Leaders and Deputy Leaders have received an earlier version of this report prior to submitting their respective nominations.

1.2 The election outcome has changed the overall distribution of seats between the 2 political groups currently represented on the Council. The split is now **15** seats to **12** (previously 20 to 7). This affects the overall seat allocations set out in paragraphs 2.3 and 2.8 below.

2. Current Structure

2.1 This paper is based on the current structure, however the Council's current constitutional arrangements allow for either a 7 or an 8 member Scrutiny Committee. A 7 seat option was chosen in 2010/11. This paper assumes continuation of the 7 seat option. Similarly, the size of the 2 Licensing Committees may be between 10 and 15. This paper assumes that membership of these committees will be 13 for 2011/12. Leaders have submitted nominations on this basis:-

2.2 **Base percentages:-**

| No. of Councillors: 27 | % seats on Council |
|------------------------|--------------------|
| Liberal Democrats 15 | 56 |
| Conservatives 12 | 44 |

2.3 **Committees**. The allocation of seats in accordance with the rules is as follows:-

| Committee | No. of Seats | Controlling Group | Opposition |
|-----------|--------------|----------------------|------------|
| Planning | 8 | 5 | 3 |
| General | 13 | 7 | 6 |
| Licensing | | | |
| Audit | 5 | 3 | 2 |
| Totals: | 26 | 15 | 11 |

2.4 **Scrutiny Committee**. This committee is not listed above as although the political balance rules apply the calculation and allocation of seats is required to be done separately. The reason for this has to do with the legislation under which "Scrutiny and Overview" committees are constituted. Although there is provision for an 8 seat committee, recent practice has been to have 7 members. The current political proportions favours a 7 seat committee. (An 8 seat committee would require a 5/3 split.) The proposed allocation of seats in accordance with the rules is therefore as follows:-

| No. of Seats | Controlling Group | Opposition |
|--------------|----------------------|------------|
| 7 | 4 | 3 |

- 2.5 **Standards Committee**. This committee is not listed above as the political balance rules do not apply to the Council's Standards Committee. The Council's Constitution provides for both Groups to be equally represented on this Committee. This is in line with past Government guidance on the establishment of Standards Committees. The Committee has 6 seats for elected councillors and 3 for independent members.
- 2.6 **Licensing Act Committee**. This committee is not listed above as the political balance rules do not apply. It is however politically balanced as a matter of local discretion. See the paragraph below as to committee membership numbers.
- 2.7 **General Licensing Committee and Licensing Act Committee.**The law requires there to be not less than 10 members and not more than 15 members of a Licensing Act Committee. The Council has previously agreed that the membership of both the Licensing Committees should be the same and that the same member should chair both committees. There is some benefit in being able to select members for sub-committees from as wide a pool as possible. The nominations made for this year assume a 13 member committee. Although there is provision for 5 members to be appointed as chairs of Licensing sub-committees, only 3 nominations have been made.

2.8 **Advisory Bodies**

| Body | No. of Seats | Controlling Group | Opposition |
|-------------------------------------|--------------|----------------------|------------|
| Conservation Area Advisory Group | 4 (or 3) | 2 | 2 (or 1) |
| Downland Forum | 4 (or 3) | 2 | 2 (or 1) |

In 2010/11 the Conservation Area Advisory Group had 4 members. Past Borough Council practice has been to allow the opposition an equality of seats.

In 2010/11 the Downland Forum had 3 members. The Opposition Group has submitted nominations for 2 members this year. Council is asked to determine the size of the Forum for 2011/12.

- 2.9 **Eastbourne Homes.** The established practice is that the non-executive directors on the board comprise 5 councillors (or exceptionally, another person with relevant experience).
- 2.10 **Other Task Groups and Boards.** So far as is possible, groups are recommended to retain existing membership so as to maintain continuity and allow members to continue or complete work already begun.

David Robinson Local Democracy Manager

17 May 2011

(der\P:council\11.05.25\pol bal rep)