

# North Tyneside Council

## Report to Council

### Date: 21 September 2023

#### Title: Review of Allocation of Seats to Political Groups

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Portfolio(s): Elected Mayor Law and Democracy	Cabinet Member(s): Dame Norma Redfearn DBE
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Responsible Officer: Stephen Ballantyne, Head of Law and Monitoring Officer      Tel: (0191) 643 5329

Wards affected: All

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#### PART 1

##### 1.1 Executive Summary:

Council is requested to review the allocation of seats to political groups and, where considered appropriate or necessary, the memberships of Committees and Sub-Committees and/or the appointment of Chairs and Deputy Chairs to Committees and Sub-Committees following notification of the formation of a new political group, the Community Independent Group.

##### 1.2 Recommendation(s):

It is recommended that Council:

- (1) approves the revised allocations of seats to political groups as shown in the Appendix to this report;
- (2) agrees that the Leaders of the political groups will inform the Monitoring Officer of their respective group's nominations of Members to each of the Committees and Sub-Committees of the Authority by 12 noon on Friday 22 September 2023;

- (3) considers any changes to the appointment of Chairs and Deputy Chairs to the Council's Committees and Sub-Committees; and
- (4) authorises the Head of Law to implement any necessary and consequential actions to affect the change in political balance of the Authority as detailed in the report.

### **1.3 Forward Plan:**

Twenty-eight days' notice of this report has been given and it first appeared on the Forward Plan that was published on 18 August 2023.

### **1.4 Council Plan and Policy Framework**

This report has no direct relevance to the 'Our North Tyneside Plan 2021-2025' priorities.

### **1.5 Information:**

#### **1.5.1 Background**

1.5.2 Council at its Annual Meeting on 18 May 2023 agreed the structure of committees for the 2023/24 municipal year, allocated seats to political groups based political proportionality, determined the Chairs and Deputy Chairs of the Council's Committees and Sub-Committees and appointed members to Committees and Sub-Committees.

1.5.3 On 28 July 2023, the Head of Law, as Monitoring Officer, received notification of the formation of a new political group called the 'Community Independent Group' comprising of Councillor C Davis, Councillor G Madden, Councillor V Jamieson and Councillor M Fox, with Councillor Cath Davis being the Group Leader and Cllr Madden as the Deputy Group Leader.

1.5.4 The notification of a new political group, coming over one month after the previous review of seat allocations, triggers a review of the representation of the different political groups on politically balanced committees under regulation 17 of The Local Government (Committees and Political Groups) Regulations 1990.

## Review of the allocation of seats to political groups

- 1.5.5 Council has a duty to allocate seats on its Committees and Sub-Committees to political groups in accordance with the principles of political proportionality which are set out in the Local Government and Housing Act 1989. The principles require that: -
- Where there is more than one political group, not all seats are allocated to the same political group;
  - The majority of seats are allocated to the group with the majority on full Council;
  - When considering all seats available for allocation the total of those given to each group should match their representation on full Council overall;
  - The number of seats on each individual committee allocated to groups should match their representation on the Council overall.
- 1.5.6 The principles of political proportionality and the process of allocating seats to groups has been applied. Council is asked to approve the revised allocation of seats to political groups shown in Appendix 1.
- 1.5.7 The Council composition is 47 Labour Group members (excluding the Elected Mayor), 7 Conservative Group members, 2 Independent Group members and 4 Community Independent members.
- 1.5.8 The Authority's Constitution is clear that full Council will decide the allocation of seats to political groups in accordance with the political balance rules outlined above. Full Council can receive nominations of Members to serve on each Committee or Sub-Committee, or as is being recommended at paragraph 1.2 above, request Group Leaders to provide the names of their nominees to the Head of Law (as Monitoring Officer) by 12 noon the following day of the Council meeting.
- 1.5.9 Section 16(1) of the Local Government and Housing Act 1989 requires that, where a group has expressed its wishes as to the names of members to fill its allocated seats, full Council is under a duty to give effect to those group wishes.

## Review of the appointments of Chairs and Deputy Chairs

1.5.10 As detailed above, the Annual Council Meeting determined the appointment of Chairs and Deputy Chairs to the Council's Committees and Sub-Committees as follows:

	<b>Committee/Sub Committee</b>	<b>Chair</b>	<b>Deputy Chair</b>
1.	Overview and Scrutiny Co-ordination and Finance Committee	Jim Montague	Debbie Cox
2.	Caring Sub-Committee	Jane Shaw	Michelle Fox
3.	Family Friendly Sub-Committee	Erin Parker-Leonard	Pat Oliver
4.	Green Sub Committee	Martin Murphy	Margaret Hall
5.	Secure Sub-Committee	Andy Newman	Rebecca O'Keefe
6.	Thriving Sub-Committee	Matt Wilson	Joan Walker
7.	Health and Wellbeing Board	Karen Clark	John O'Shea
8.	Licensing Committee	Matthew Thirlaway	Wendy Lott
9.	Planning Committee	Willie Samuel	Julie Cruddas
10.	Regulation and Review Committee	Davey Drummond	Tommy Mulvenna
11.	Standards Committee	Frank Lott	Tracy Hallway

1.5.11 The Council may, if it considers it appropriate, following the reallocation of seats to political groups, review and amend the appointments of Chair and Deputy Chairs of Committees and Sub-Committees.

1.5.12 Council is requested to note that if more than one nomination is received for a change to any positions detailed above a vote will be held with the nominee receiving the highest number of votes being appointed to the position.

### **1.6 Decision options:**

The following decision options are available for consideration by Council:

### Option 1

To agree to the recommendations set out in paragraph 1.2 above.

### Option 2

Not to agree to the recommendations in paragraph 1.2 above.

## **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

The Authority has a legal obligation to conduct a review of the representation of the different political groups on politically balanced committees and in doing so apply the principles set out in the Local Government and Housing Act 1989. If full Council does not agree to the re-allocation of seats following the establishment of the Community Independent Group, it will not be acting in accordance with its legal obligation to do so.

## **1.8 Appendices:**

Appendix: Allocation of Seats to the Political Groups.

## **1.9 Contact officers:**

Stephen Ballantyne, Head of Law and Monitoring Officer, tel. (0191) 643 5329

Allison Mitchell, Head of Governance tel (0191) 643 5720

David G Dunford, Senior Business Partner, Strategic Finance, tel 0191 643 7027

John Barton, Team Leader, Corporate and Regulatory Team, Legal Services, tel (0191) 643 5354.

## **1.10 Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

(1) Local Government and Housing Act 1989

(2) The Local Government (Committees and Political Groups) Regulations 1990.

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

There are no financial implications arising from this report.

### **2.2 Legal**

As stated in the report, the allocation of seats on politically balanced committees is governed by the Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulations 1990. The Authority's duty, through full Council, is to appoint Members to Committees in accordance with the principles of political proportionality and the wishes of the political groups.

### **2.3 Consultation/community engagement**

#### **2.3.1 Internal Consultation**

The senior Management Team and Group Leaders have been consulted on the need to undertake a review of the allocation of seats following the establishment of a new political group.

#### **2.3.2 External Consultation/Engagement**

No such consultation is required and has therefore not been undertaken.

### **2.4 Human rights**

There are no human rights implications arising from this report.

### **2.5 Equalities and diversity**

There are no equalities and diversity implications arising from this report.

### **2.6 Risk management**

There are no risks arising from this report. There is a risk that if Council does not re-allocate seats based on the new political balance of full Council it will be failing in its legal obligations to do so.

### **2.7 Crime and disorder**

There are no crime and disorder implications arising from this report.

## 2.8 Environment and sustainability

There are no environmental and sustainability implications arising from this report.

### PART 3 – SIGN OFF

- Chief Executive  X
- Director(s) of Service  X
- Mayor/Cabinet Member(s)  X
- Chief Finance Officer  X
- Monitoring Officer  X
- Assistant Chief Executive  X

## Appendix 1 – Allocation of Seats to Political Groups

The allocation of seats on committees/sub committees to political groups represented on the Council be as follows, and the Monitoring Officer be informed of nominations of members to each committee/sub-committee by 12 noon on Friday 22 September 2023.

Council Composition	Total Seats	Labour	Conservative	Independent	Community Independents
		47	7	2	4
Ordinary Committees					
Appointment and Disciplinary Committee	7	6	1	0	0
Audit Committee	7	6	1	0	0
Licensing Committee	12	9	1	1	1
Overview and Scrutiny Co-ordination and Finance Committee	15	11	2	1	1
Planning Committee	11	9	1	0	1
Regulation and Review Committee	12	9	1	1	1
Standards Committee	9	7	1	0	1
<b>Total</b>	<b>73</b>	<b>58</b>	<b>7</b>	<b>3</b>	<b>5</b>
Sub-Committees					
Caring Sub-committee	12	9	1	1	1
Family Friendly Sub-committee	12	9	1	1	1
Thriving Sub-committee	12	9	1	1	1
Green Sub-committee	12	9	1	1	1
Secure Sub-committee	12	9	2	0	1