

## Slough Borough Council

<b>Report To:</b>	<b>Council</b>
<b>Date:</b>	25 <sup>th</sup> July 2024
<b>Subject:</b>	Allocation of Seats and Committee Appointments
<b>Chief Officer:</b>	Sukdave Ghuman, Director of Law & Governance and Monitoring Officer
<b>Contact Officer:</b>	Alex Polak, Head of Governance & Scrutiny
<b>Ward(s):</b>	All
<b>Exempt:</b>	No
<b>Appendices:</b>	Appendix 1 – Revised Allocation of Seats Appendix 2 – Committee appointments and appointments to Chair and Vice Chair vacancies

### 1. Summary and Recommendations

- 1.1 This report advises the Council of revised proportionality entitlements to seats on committees in light of changes to political groups since the Annual Meeting of Council on 16<sup>th</sup> May 2024, which are the formation of the Slough Independent Group and a change to the membership of the Conservative Group as notified on Friday 7<sup>th</sup> June 2024.
- 1.2 Council is requested to approve the revised allocation of seats on committees and outside bodies, and make the necessary appointments in accordance with the wishes of the political groups.
- 1.3 The report also informs the Council of other consequential matters arising from the current political balance including support entitlement of the Slough Independent Group.

### Recommendations:

Council is recommended to:

- (a) Note the revised proportionality and entitlement to committee seats as set out in Appendix 1.
- (b) Approve the appointments to committees and outside bodies as set out Appendix 2.
- (c) Approve the appointment as per appendix 2 to fill the vacant role of chair of the Employment Committee.
- (d) Approve the appointment as per appendix 2 to fill the vacant role of chair of the Investigating & Disciplinary Committee.

- (e) Approve the appointment as per appendix 2 to fill the vacant role of vice chair of the Audit & Corporate Governance Committee.
- (f) Approve the appointment as per appendix 2 to fill the vacant role of vice chair of the Standards Committee.

**Reason:**

The Local Government and Housing Act 1989 stipulates that the council should review the proportionality calculation and make any necessary adjustments to the allocation of seats on committees following any change in political balance. This is the first Full Council meeting since changes in political balance on Slough Borough Council. Full Council also needs to fill several vacant chair or vice chair positions, which have arisen from the changes to group membership.

**Commissioner Review**

The Commissioners have reviewed this report and have no specific comments to add.

**2. Report**

**Introductory paragraph**

- 2.1 It is a requirement to appoint to the Committees, Sub-committees and other bodies as set out in the Constitution.

Allocation of Seats on Committees

- 2.2 The Council, in undertaking its duty to allocate seats to political Groups is required, as far as reasonably practicable, to give effect to the statutory principles below:
  - (a) that not all the seats on the body are allocated to the same political group;
  - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
  - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
  - (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.
- 2.3 In practice, the proper application of these rules often leads to a variation in the number of members from each Group on each committee, even between committees with the same number of members, in order to ensure balance overall across all committees and any sub-committees.

2.4 The Council agreed the allocation of seats and appointments at the Annual Council meeting held on 16th May 2024. On 7<sup>th</sup> June 2024 a Notice was received in accordance with Regulation 10 (c) of The Local Government (Committees and Political Groups) Regulations 1990, notifying the Council that the following Councillors had formed a new group called the Slough Independent Group:

- Councillor Akram (Group Leader)
- Councillor Ajaib (Deputy Group Leader)
- Councillor Dar
- Councillor Nazir
- Councillor Qaseem
- Councillor J Sabah
- Councillor W Sabah

2.5 Separately, as of 7<sup>th</sup> June 2024 the Council was notified that Councillor Muvvala had submitted his resignation from the Conservative Group and therefore now sits as an independent councillor and not a member of any group.

2.6 Seats on committees are allocated to political groups, therefore upon leaving their previous groups the members above automatically were removed from any committees to which they had been appointed by their former groups, pending the revised seat allocations being agreed as set out in this report.

2.7 Consequently, they also lost any chair or vice chair positions they held on those committees, and these positions became vacant. Two chair positions are vacant and two vice chair positions are vacant, as set out in recommendations (c) to (f) above. Nominees for those positions are set out in appendix 2, for consideration and decision by Full Council.

2.8 Unlike the names put forward by groups to fill their own seats on each committee (to which each group has an entitlement), the candidates for chair and vice chair positions named in appendix 2 can, if desired, be changed by full council under the usual process for amendments.

2.9 The current political balance of the Council is as follows:

<b>Group</b>	<b>Seats on Council</b>
Conservative Group	20
Labour Group	11
Slough Independent Group	7
Liberal Democrat Group	3
<i>Independent (not in a group)</i>	<i>1</i>

2.10 Proportionality and allocation of committee places has been re-calculated based on revised group membership, as set out in Appendix 1. Following a detailed review of the options and discussions with group leaders there are no changes to the current size of any committees. This is considered to remain the best fit within the requirements of the political proportionality calculation as described above.

2.11 Members should note that there is no seat entitlement for any councillors not in a political group. One member of the council is not in any political group. The

calculations are therefore done on the basis of a proportion of the remaining 41 council seats.

- 2.12 Groups have been asked for nominations their revised seat allocations and these are set out in Appendix 2. Council is not being asked to re-approve unchanged appointments to committees, chairs, vice-chairs and outside bodies agreed at the Annual Meeting on 16<sup>th</sup> May 2024, therefore the Appendix only lists new or changed appointments.

### Slough Independent Group – entitlement to support

- 1.1 The AGM each year has a standing item to agree the political support which will be available to political groups over the coming year. The arrangements agreed in May 2024 for the current year remain in place: the Conservative Group and the Labour Group each have a full time political group support officer.
- 1.2 Under the Local Government & Housing Act 1989 Councils are free to decide whether to have political group support officers. If they do have such roles in their officer structure, then a political group qualifies for support if it comprises at least 10% of the membership of the Authority. The Slough Independent Group has 7 of the 42 seats on the Council and is therefore entitled to such support.
- 1.3 The Slough Independent Group has indicated that it does not have a requirement for political group officer support at the current time but has requested up to six hours of administrative support per week. For the time being it is proposed to find this from within the existing democratic services team. This support will be reviewed in due course, not least in advance of the 2025 AGM when a formal decision will be needed about political group support for the subsequent year.
- 1.4 There are therefore no changes proposed to the current position regarding political group officer support.
- 1.5 The Slough Independent Group is eligible to receive other forms of support such as accommodation and this is under discussion with the group leadership.

### **Options considered:**

**Option 1** – Agree the revised seat entitlements and make appointments to committees as set out in the recommendations and in Appendices 1 and 2 of this report to reflect the new political balance of the Council and ensure compliance and best fit with the rules on political proportionality. This is the recommended option.

**Option 2** – Agree a different allocation of seats or change to committee structures. The Council could change the committee structure by varying the number of seats on some or all committees if this did not depart from the proportionality rules, or if no member voted against. Various options have been tested and the best fit is as proposed in Appendix 1. Group Leaders have been consulted on the preferred option. It is therefore not recommended to change the size of any committees.

**Option 3** - 'Do nothing'. This is not recommended as the Council is required to comply with the provisions the Local Government and Housing Act 1989 relating to the representation of different political groups on committees and other relevant bodies.

### **3. Implications of the Recommendation**

#### *3.1 Financial implications*

- 3.1.1 There are no direct financial implications arising from the recommendations in this report.
- 3.1.2 The position regarding Political Group Support Officers is set out in section 2 of this report and there are no new costs to the council arising at this stage, although there is an opportunity cost of six hours per week of a democratic services team member.

#### *3.2 Legal implications*

- 3.2.1 The recommendations within this report meet legal requirements (primarily the Local Government & Housing Act 1989 and associated Regulations). The proposals have no workforce implications other than as set out in 3.1.2 and any financial implications have been reflected within the approved budget.
- 3.2.2 The rules for the allocation of seats are set out in Sections 15 and 16 of the Local Government and Housing Act 1989 (the 1989 Act) and the Local Government Committee and Political Group Regulations 1990. The Council has an obligation to ensure compliance with the legislative requirements for political proportionality in relation to the allocation of seats and the nominations to them where members are organised into different political groups. Should the Council wish to not apply the political proportionality requirement, then it may only do so in accordance with section 17 of the 1989 Act and provided that no member of the Council votes against.

#### *3.3 Risk management implications*

- 3.3.1 The principal risk is that decisions of committees or other bodies could be challenged if the Council did not meet its duty for political balance on such bodies under the Local Government and Housing Act 1989. The recommendations in this report address this risk.

#### *3.4 Environmental implications*

- 3.4.1 None arising from this report.

#### *3.5 Equality implications*

- 3.5.1 None arising from this report.

### **4. Background Papers**

None.