



Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Council 16 July 2024

Wards affected: All wards

Political balance and amendment to constitution

Report of the Monitoring Officer

1. Purpose of report

- 1.1 To review the political balance in accordance with section 15 of the Local Government and Housing Act 1989 following a change to membership of political groups.
- 1.2 To amend the Council's constitution to reduce the number of members on the Appeals Panel.

2. Recommendation

- 2.1 The revised political balance set out at paragraph 3.2 be approved.
- 2.2 The allocation of seats to political groups and non-aligned members set out at paragraph 3.4 be approved.
- 2.3 Any changes to committee membership as set out in the supplementary agenda be approved.
- 2.4 Paragraph 2.1 of part 2b of the Council's constitution be amended to reduce the number of members of the Appeals Panel from 12 to 11.

3. Background to the report

- 3.1 On 29 May, the Chief Executive was informed that Councillor Green had left the Labour Group and joined the Liberal Democrat Group.
- 3.2 The new composition of the Council is shown in the following table (based on 79 seats following reduction of the membership of the Appeals Panel):

Group	Number of seats	%	Rounded number of seats (total 79)
Conservative	9	26.47	21
Independent	1	2.94	2
Labour	1	2.94	2
Liberal Democrat	23	67.65	54

3.3 The balance of seats on committees can only correlate with the overall political balance by reducing the total number of seats on committees from 80 to 79, hence the recommendation to reduce the number of seats on the Appeals Panel. This will have little impact as only four members from the pool of Appeals Panel membership are used for each appeal.

3.4 The allocations set out in the table below show the allocation of seats to political groups and non-aligned members:

Body	Number of seats	Con	Ind	Lab	Lib Dem
Appeals Panel	11	3	1		7
Audit Committee	11	3		1	7
Ethical Governance & Personnel Committee	9	2			7
Finance & Performance Scrutiny	9	3			6
Licensing Committee	11	3			8
Planning Committee	17	4	1		12
Scrutiny Commission	11	3		1	7
TOTAL	79	21	2	2	54

3.5 Part 2b of the constitution (terms of reference of Council bodies) contains at paragraph 2.1 the terms of reference of the Appeals Panel, including that the Panel will consist of 12 members, of which three will be called for a meeting of the panel, with one reserve. It is recommended that the paragraph be amended to read:

“The Appeals Panel will consist of 11 members of the Council, of which three will be called for a meeting of the Panel, with one reserve”.

4. Exemptions in accordance with the Access to Information procedure rules

4.1 This report is to be taken in public session.

5. Financial implications (IB)

5.1 None.

6. Legal implications (ST)

- 6.1 The Local Government & Housing Act 1989 requires that a report be submitted to Council whenever Council is required to review the allocation of seats on committees between political groups.
- 6.2 It is a statutory requirement that where the authority has membership divided into different political groups, unless a unanimous decision is taken to the contrary, it must ensure that appointments are allocated in the same proportion as that in which the Council as a whole is divided.
- 6.3 The amendment to the membership of the Appeals Panel (number of members) requires an amendment to the council's constitution and will therefore require two-thirds of members present to be in support of the amendment. The amendment to the constitution is required to ensure committee membership is politically balanced in accordance with section 15 of the Local Government & Housing Act 1989.

7. Corporate Plan implications

- 7.1 This report supports all areas of the corporate plan by ensuring sound governance.

8. Consultation

- 8.1 Group leaders have been consulted on the political balance.

9. Risk implications

There are no risks associated with this report

10. Knowing your community – equality and rural implications

- 10.1 This report does not impact any communities or parishes.

11. Climate implications

- 11.1 The report does not have any impact on climate change.

12. Corporate implications

- 12.1 By submitting this report, the report author has taken the following into account:
- Community safety implications
 - Environmental implications
 - ICT implications
 - Asset management implications
 - Procurement implications

- Human resources implications
 - Planning implications
 - Data protection implications
 - Voluntary sector
-

Background papers: None

Contact officer: Rebecca Owen

Executive member: Councillor SL Bray