

Item No. 6.1	Classification: Open	Date: 11 July 2018	Meeting Name: Council Assembly
Report title:		Calculation of Political Balance (proportionality) - The Local Government and Housing Act 1989	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

1. That council assembly note the revised division of seats and percentage allocation of each political group on the council following the outcome of the election in London Bridge and West Bermondsey ward on 14 June 2018 set out below:

Table 1: Division of seats

Group	Total	%
Labour	49	77.78
Liberal Democrat	14	22.22
Total	63	100.00

2. That council assembly note that following the elections in London Bridge and West Bermondsey ward on 14 June 2018, there is no change to proportionality and the allocation of seats on committees, community councils and panels for the municipal year 2018/19, as agreed by council assembly on 21 May 2018, remains same, as set out below:

Table 2: Ordinary Committees - Total number of seats 29

Committee	Total	Lab	Lib Dem
Committee 1 Appointments Committee	7	6	1
Committee 2 Planning Committee	8	6	2
Committee 3 Audit, Governance and Standards Committee	7	5	2
Committee 4 Corporate Parenting Committee	7	6	1
Total	29	23	6

Table 3: Other committees - Total number of seats 26

Committee	Total	Lab	Lib Dem
Overview and Scrutiny Committee	11	8	3
Licensing Committee	15	12	3

Table 4: Community councils areas divided by geographical areas

Name of community council	Members from electoral wards serving on Community councils
Bermondsey and Rotherhithe	London Bridge & West Bermondsey, North Bermondsey, South Bermondsey, Old Kent Road (North), Rotherhithe and Surrey Docks wards.
Borough, Bankside and Walworth	Borough & Bankside, St George's, Chaucer, Newington, North Walworth and Faraday wards.
Camberwell	Camberwell Green, St Giles and Champion Hill wards.
Dulwich	Goose Green, Dulwich Village, Dulwich Hill and Dulwich Wood wards.
Peckham and Nunhead	Old Kent Road (South), Peckham, Rye Lane, Nunhead & Queen's Road and Peckham Rye wards.

BACKGROUND INFORMATION

3. The constitution is updated as and when changes are required. The recommendations in this report are based on the current constitution and previous decisions of the council.

KEY ISSUES FOR CONSIDERATION

4. The election for London Bridge and West Bermondsey ward election was deferred following the death of a Conservative Party candidate in the lead up to the local election held on 3 May 2018. The election was subsequently held on 14 June 2018.

Division of seats

5. As a result of the 3 May 2018 local elections and the deferred election on 14 June 2018, the political composition of the council is as set out in table 1 above.

Proportionality – the legal position

6. The size and composition of the council's regulatory and other committees are established in accordance with the number of seats each political group has on the council as a whole – this is known as "proportionality".
7. The Local Government and Housing Act 1989 covers the allocation of seats to political groups. The political balance rules require the council to ensure that the political groups represented on council have proportionate representation on the committees of the council. Political groups have to constitute two or more members and be actively constituted as a group in accordance with the above regulations.
8. Seats on committees and sub-committees must be allocated in accordance with the four principles of proportionality contained in sections 15, 16 and 17 of the Local Government and Housing Act 1989. There is a duty to give effect to the following principles, as far as is reasonably practicable:
 - (i) That not all the seats on a committee or sub-committee are allocated to the same political group
 - (ii) That the majority group must have the majority of seats on each committee or sub-committee

Note: As the Labour Group has an overall majority on the council, this principle has been applied.

- (iii) Subject to (i) and (ii) above, it must be ensured that the proportion of each political group's seats of the total number of seats on "ordinary committees" reflects, as closely as possible, their proportion of seats on full council.

Notes:

1. The ordinary committees are: appointments; planning; audit, governance and standards; corporate parenting.
 2. The licensing committee is appointed under the Licensing Act 2003, the overview and scrutiny committee is appointed under section 9F of the Local Government Act 2000 and the health and wellbeing board is appointed under the Health and Social Care Act 2012 and is to be treated as if appointed under section 102 of the Local Government Act 1972 (subject to modifications of the effect of section 102 made by the Secretary of State). None of the aforementioned committees are treated as an ordinary committee.
- (iv) Subject to (i) to (iii) above, the proportion of each political group's seats on each committee and sub-committee reflects as closely as possible their proportion of seats on full council.
9. Council assembly can agree an allocation that is disproportionate, provided no member votes against this.
 10. The regulations provide an exception from the political balance requirements where a committee is established to discharge functions in part of an authority's area, and
 - (i) Consists entirely of members elected for wards which comprise the area, and
 - (ii) Either the area or its population does not exceed two-fifths of the total for the authority.
 11. The membership of community councils is set out in Article 8 of the constitution. Community councils do not need to be politically balanced. Community councils can only include members of the local authority who are members for the electoral wards wholly or partly contained within the area for which the community council has functions.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Establishment of committees and other constitutional issues 2018/19 report - Council Assembly 21 May 2018	Southwark Council Constitutional team 160 Tooley Street, London, SE1 2QH	Chidilim Agada 020 7525 3310

APPENDICES

Appendix	Title
None.	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services	
Report Author	Chidilim Agada, Head of Constitutional Services	
Version	Final	
Dated	25 June 2018	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes (included in body of report)
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	25 June 2018	