

BARNSELY METROPOLITAN BOROUGH COUNCIL

Report of the Director of Legal and Governance to Annual Council on 20th May,2016

Local Government and Housing Act 1989: Review of Allocation of Seats to Political Groups

1. Purpose of Report

To enable the Council to review the allocation of seats on Scrutiny Commissions and Regulatory Boards as required by Section 15 of the Local Government and Housing Act 1989.

2. Recommendations

2.1 That the allocation of seats on the Scrutiny Commissions and Regulatory Boards be reviewed in accordance with Section 15 of the Local Government and Housing Act 1989;

2.2 That seats be allocated to Political Groups on the basis set out on Section 6 of the report.

3. Background

Section 15 of the Local Government and Housing Act 1989 requires the Council to review the allocation of seats on its ordinary committees (i.e. Overview and Scrutiny Commission and Regulatory Boards) at each Annual Council Meeting.

4. Current Position

The composition of political groups on the Council is now as follows:

- Labour Group 55 Members
- Independent Group 4 Members
- Conservative Group 4 Members

5. The Relevant Principles

5.1 Section 15 of the Local Government and Housing Act 1989 requires the allocation of seats on the Ordinary Committees of the Authority to be reviewed at each Annual Council Meeting. The "Ordinary Committees" of the Authority represent, in the case of Barnsley, the Overview and Scrutiny Commission, the Planning Regulatory Board, the General Licensing Regulatory Board and the Appeals and Awards Regulatory Board.

The legislation does not require the review of the allocation of seats to Political Groups on either the Cabinet, the Area Councils and Ward Alliances, nor on the Statutory Licensing Regulatory Board, or the Audit Committee.

These are not “Ordinary Committees” of the Authority. Appointments to Outside Bodies are also not affected by the legislation.

- 5.2 The following principles are applied in carrying out such a review in accordance with the legislation and the Council’s Constitution:
- (i) The majority of the seats on each body should be allocated to the Political Group with the majority on the Full Council.
 - (ii) Each Political Group should be represented on each relevant body.
 - (iii) Each Elected Member should serve on at least one Regulatory Board.
 - (iv) Subject to the above, as far as practicable, the number of seats on all of the Ordinary Committees of the Authority allocated to each Political Group must reflect the proportion of the representation of that Group on the Full Council.

6. Application of the Relevant Principles

6.1 The following allocation reflects the above principles.

6.2 Allocation of Seats

Applying the above principles would lead to the following allocation:

6.2.1 Overview and Scrutiny Commission: 26 Members

Labour Group 22
Barnsley Independent Group 2
Conservative Group 2

6.2.3 Planning Regulatory Board: 26 Members

Labour Group 22
Barnsley Independent Group 2
Conservative Group 2

6.2.4 General Licensing Regulatory Board: 26 Members

Labour Group 23
Barnsley Independent Group 1
Conservative Group 2

6.2.5 Appeals and Awards Regulatory Board: 26 Members

Labour Group 23
Barnsley Independent Group 2
Conservative Group 1

6.2.6 Statutory Licensing Regulatory Board

The Licensing Act 2005 prescribes that the number of Members on a Local Authority Licensing Committee shall not exceed 15. Applying the principle of proportionality that is applied to the “regular” Committees gives rise to the following composition:

Labour Group 13
Barnsley Independent Group 1
Conservative Group 1

Under the Council’s Constitution, the 15 Members of the Statutory Licensing Regulatory Board are appointed from those Members appointed to the General Licensing Regulatory Board.

- 6.3 Items 13 and 15 on the Summons address the appointment of individual Members to the relevant Bodies. Nominations are to be proposed in respect of individual Members to be appointed to the relevant Bodies to reflect the above allocation.

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