

Title of meeting:	Governance & Audit & Standards Committee
Date of meeting:	26 June 2015
Subject:	Consideration of the political balance rules in relation to the constitution of Sub-Committees considering complaints against Members
Report by:	City Solicitor
Wards affected:	N/A
Key decision:	No
Full Council decision:	No

1. Purpose of report

1.1. The Committee is asked to consider whether it wishes to disapply the political balance rules in respect of its Sub-Committees which are considering complaints against Members.

2. Recommendations

2.1. Members are asked to consider whether it wishes to disapply the political balance rules in respect of its Sub-Committees which are considering complaints against Members.

3. Background

3.1. The Committee agreed on 27th June 2014 to "disapply" the political balance rules in respect of Sub-Committees of Governance and Audit and Standards Sub-Committees which were dealing with complaints. ¹This meant the Sub-Committees' membership would in future not be made up of Members in the same proportion as the political groups are represented on the Council. Instead it was agreed that the Sub-Committees would be "cross party as far as reasonably practicable". This was considered important to ensure the greatest transparency in the decision making of these Sub-Committees where complaints against members were considered.

3.2. However, Section 17 (2), Local Government and Housing Act 1989 provides that any decision not to apply the political balance rules shall come to an end if there is any change in the make-up of a committee where they have been disapplied.

¹ <http://www.legislation.gov.uk/ukpga/1989/42/section/17>

3.3. As there has been a change in the political make-up of the Council, Members have asked to reconsider the matter. If the decision is made to disapply the political balance rules then they shall be applied only until the end of this council year in May 2016 when the matter would again have to be reconsidered.

3.4. The decision is one which this Committee can make but it must be made without any of the Members present voting against it.

4. Equality impact assessment (EIA)

4.1. The contents of this report do not have any relevant equalities impact and therefore an equalities assessment is not required.

5. Legal implications

5.1. The City Solicitor's comments are included in this report.

6. Finance comments

6.1. There are no financial implications arising from the recommendations set out in this report.

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Signed by:

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/
rejected by on

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Signed by: