



City of Westminster

Annual Council Report

Date:	17 May 2023
Classification:	For General Release
Title:	Constitutional Matters
Report of:	Director of Law
Wards Involved:	Not applicable
Policy Context:	Management of the Council
Financial Summary:	None
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1. Summary

- 1.1 The Council is required to confirm the proportional division of seats on the Standing Committees and to note the Members appointed to them.
- 1.2 The Committees are required to appoint and confirm the proportional division of seats on their Sub-Committees and subsidiary bodies, and to note the Members appointed to them. The Committees will meet on the rising of the Annual Council Meeting to do this. This is also an opportunity for any changes to Committee chairs to be appointed as required by Chapter 5, section 22.2(1) of the Council's Constitution.

2. Recommendations

- 2.1 That the Council determine the allocation of places on the following standing committees and notes the names of the Members appointed to them following notification by the respective Party Whips, as set out below and detailed in Appendix A.

2.2 That the Council confirm the proportional division of seats on the Standing Committees as set out below.

Committee	Members		
	Total	Labour	Conservative
Audit and Performance Committee	4	3	1
General Purposes Committee	4	3	1
Westminster Scrutiny Commission	7	4	3
Communities, City Management and Air Quality P&S	7	4	3
Children & Adults, Public Health & Voluntary Sector P&S	7	4	3
Finance, Planning and Economic Development P&S	7	4	3
Climate Action, Housing and Regeneration P&S	7	4	3
Standards Committee	5	3	2
Pensions Fund Committee	4	3	1
Planning & City Development Committee	14	8	6
Licensing Committee	15	8	7
Total	81	48	33
Target number (and variance)		47 (+1)	34 (-1)

3. Background

3.1 The Local Government and Housing Act 1989 requires local authorities, where Members are divided into political groups, to review annually the representation of the political groups on their Committees and Sub-Committees to ensure a political balance.

3.2 The following principles apply to the allocation of seats in sequential order:

- (a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
- (b) That the majority of seats on each Committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) That, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council must reflect their proportion of the authority's membership; and
- (d) Subject to (a) to (c), that the number of seats on each committee is, as far as possible, in proportion to the group's membership of the authority.

- 3.3 Sub-Committees are also governed by the political balance rules, but it is not necessary to add up all the Sub-Committee seats and then allocate them in proportion. As far as this is practicable, the allocation of seats on each Sub-Committee should reflect the proportional representation of the political groups on the Council.
- 3.4 The Labour and Conservative Groups hold, respectively, 31 and 23 of the total of 54 Council seats. The proportion by which seats on Committees should be allocated is 57.41% Majority Group and 42.59% Opposition Group.
- 3.5 The proposed allocation of committee seats is detailed above in paragraph 2.2 and on the basis of the 81 committee seats, this equates, to 48 Majority Party and 33 Opposition Party seats. Following the principles set out at 3.2, the only way to ensure a majority of seats on each Committee were allocated to the Majority Group would be to allocate 48 seats to the Majority Group and 33 to the Opposition Group, creating a variance of one seat in favour of the Majority party. The Chief Executive and the Director of Law and Governance (Monitoring Officer) have confirmed that this proposed allocation is in accordance with the proportionality rules.
- 3.6 Membership of the Council's Standing Committees and Sub-Committees is governed by Chapter 5, Section 22.1 which, in accordance with the Local Government (Committees and Political Groups) Regulations 1990, as amended, provides for Members of Standing Committees and Sub-Committees to be those whose names have been notified to the Chief Executive, who is the duly appointed proper officer for these purposes. The Chief Executive has the delegated power to appoint to all Standing Committees and Sub-Committees in accordance with notifications received from Party officers under the Regulations.
- 3.7 Both political groups on the Council have to notify the Chief Executive of the names of the Members to serve on the Standing Committees, Sub-Committees and subsidiary bodies. It is for the Council to note the Standing Committee memberships as set out in Appendix A to this report and for the Standing Committees to note their Sub-Committee memberships in due course. In addition, the Standing Committees will be asked to appoint their Chairs, where necessary, as set out in the Constitution.
- 3.8 The City Council is required to appoint a Licensing Committee in accordance with the Licensing Act 2003. In accordance with the provisions of the Licensing Act the minimum number of Members who can be appointed to the Licensing Committee is 10 and the maximum 15. The Council, as the busiest Licensing authority, has always appointed the maximum number of Members.

4. Financial Implications

- 4.1 There are no financial implications arising from this report as all positions which are remunerated are covered by the existing Members' Allowances scheme.

5. Legal Implications

- 5.1 The Council is required to carry out a review of seats at least annually in accordance with the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) Regulations 1990. These requirements are reflected in this report.

**If you have any queries about this report or wish to inspect any of the background papers please contact Tristan Fieldsend.
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Background Papers

The Constitution – available via the Council's website

Appendices:

- Appendix A – Memberships of the Standing Committees