

Report To:	Inverclyde Council	Date:	22 April 2021		
Report By:	Interim Head of Legal Services	Report No:	LS/048/21		
Contact Officer:	Anne Sinclair	Contact No:	01475 712139		
Subject:	Scheme of Administration - Political Balance				

1.0 PURPOSE

1.1 The purpose of this report is to advise the Council of the necessary requirements to ensure political balance on Committees, Sub-Committees, Boards and Outside Bodies (where appropriate) following the resignation from the SNP group of Councillor Chris McEleny who has joined the Alba party.

2.0 SUMMARY

- 2.1 Councillor Chris McEleny intimated on 26 March 2021 his resignation from the SNP Group and his intention to represent the Alba party in Ward 5.
- 2.2 This resignation means that the political balance on Committees, Sub-Committees, Boards and Outside Bodies (where appropriate) requires to be reviewed in order to comply with the Council's Scheme of Administration.
- 2.3 Para 5.4 of the Scheme of Administration requires the Council to ensure that, in so far as is practicable, the appointments to the Committees, Sub-Committees, and Outside Bodies (where more than two representatives of the Council are required) reflect the balance of representatives on the Council.
- 2.4 The previous political balance of the Council was as follows:
 - 8 Labour
 - 7 SNP
 - 4 Independent Coalition
 - 2 Conservative
 - 1 Liberal Democrat

The present political balance of the Council, taking into account the resignation of Councillor McEleny, is as follows:

- 8 Labour
- 6 SNP
- 4 Independent Coalition
- 2 Conservative
- 1 Liberal Democrat
- 1 ALBA

3.0 RECOMMENDATION

- 3.1 It is recommended that the Council:
 - (a) Considers the terms of this report;
 - (b) Approves the re-balancing of Committees as detailed in Appendix 1; and
 - (c) After considering the option in Sections 5.1- 5.5 makes the appropriate adjustments to the membership of its Committees, Sub-Committees, Boards and Outside Bodies.

Anne Sinclair Interim Head of Legal Services

4.0 BACKGROUND

- 4.1 Paragraph 5.4 of the Scheme of Administration requires the Council to ensure that, in so far as is practicable, the appointments to Committees, Sub-Committees and Outside Bodies (where more than two representatives of the Council are required) reflect the balance of representation on the Council.
- 4.2 The resignation of Councillor Chris McEleny from the SNP Group in order to join the Alba party means that the political balance on Committees, Sub-Committees, Boards and Outside Bodies (where appropriate) requires to be reviewed.
- 4.3 The previous political balance meant the representation on all of the Council's standing Committees and Boards of 11 Members was as follows:

Labour - 4 Members

SNP - 3.5 Members

Independent - 2 Members

Conservative – 1 Member

Liberal Democrat – 0.5 Member

It should be noted that following the local government elections on 4 May 2017 Members agreed that the requirement of the Council's Standing Orders to achieve a balance of political representation would be met by alternative 4 SNP/0 LD and 3 SNP / 1 LD representation on the thematic Committees with a similar arrangement for the General Purposes Board and Planning Board.

- 4.4 The alteration in political balance means that membership of the Council's Committees, Sub-Committees, Boards and Outside Bodies (with more than two Council representatives) needs to change to reflect the position.
- 4.5 The present political balance for the Standing Committees and Boards comprising of 11 Members requires to be altered as is shown in Appendix 1 and as set out as follows:

Labour – 4 Members

SNP – 3 Members

Independent – 2 Members

Conservative - 1 Member

Liberal Democrat - 0.5 ALBA - 0.5

This new political balance means that:

- (a) The Labour, Independent and Conservative balances are unaffected;
- (b) The SNP representation is reduced by 0.5 Member in each of the main Committees and Boards;
- (c) There are two members (one Liberal Democrat and one ALBA) who are entitled to one appointment to each of the main Committees and boards.
- 4.6 For Members' ease of reference, **Appendix 1** sets out the existing (and proposed) political balance on the main Committees and Boards and **Appendix 2** details the existing party-by-party representation on these.

5.0 MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES AND BOARDS

- 5.1 There are eight main thematic Committees as listed in section 5.5. Members previously agreed following the local government elections on 4 May 2017 that the requirement of the Council's Standing Orders to achieve a balance of political representation would be met by alternative 4 SNP/0 LD and 3 SNP/1 LD representation on the thematic Committees with a similar arrangement for the General Purposes Board and Planning Board.
- 5.2 As a consequence of the above arrangements three of the main thematic Committees and the Planning Board have three SNP Members. Two of those Committees (Policy & Resources and Audit) along with the Planning Board are potentially unaffected. However Cllr Chris McEleny was one of the three SNP Members on the Health & Social Care Committee. To give effect to the new political balance the SNP Group are entitled to nominate one replacement and thus Cllr Chris McEleny would cease to be a member of that Committee (because Cllr Rebecchi is an existing member) as set out at paragraph 5.4 below.
- 5.3 To give effect to the new political balance of the remaining main thematic Committees and the General Purpose Board, it is necessary to:
 - Reduce by one the SNP representation on each of the four Committees in respect of which the SNP Group have four members (Environment & Regeneration, Education & Communities, Local Fire & Police Scrutiny Committee and the General Purposes Board) to three members.
 - Appoint one replacement to the above Committees and Boards from the Liberal Democrat Member and the ALBA Member so that they are both equitably appointed in relation to all eight thematic Committees.
- 5.4 It should be noted that Cllr Chris McEleny was formerly one of the four SNP Members on the Education & Communities Committee. If Cllr Chris McEleny wished to remain on this Committee as an ALBA member then overall balance of the Lib Dem/ALBA representation would be achieved (with Cllr Rebecchi as above on the Health & Social Care Committee). This is, of course, entirely within the discretion of the Council.
- 5.5 In order to minimise disruption to the Council during the last 12 months of the Administration one option would be for Cllr Chris McEleny to remain on the Education & Communities Committee as set out above at 5.4 and go on the remaining three thematic Committees, that is, Environment & Regeneration, General Purposes Board and The Local Fire & Police Scrutiny Committee. This would result in no change to Cllr Rebecchi's membership of any Committee.

COMMITTEE	EXISTING	ACTION NEEDED TO ACHIEVE POLITICAL BALANCE		
Policy & Resources	1 LD/3 SNP	No change necessary		
Environment & Regeneration	4 SNP	SNP to reduce by 1 Member and allocate to ALBA		
Health & Social Care	1 LD/3 SNP	SNP to nominate 1 replacement. No other change necessary.		
Audit	1 LD/3 SNP	No change necessary		
Education &Communities Committee	4 SNP (including the new ALBA member)	No change necessary		
General Purposes Board	4 SNP	SNP to reduce by 1 Member. Allocate to ALBA *See Note 1 below		
Planning Board	1 LD/3 SNP	No change necessary		
Local Fire & Police Scrutiny Committee	4 SNP	SNP to reduce by 1 Member. Allocate to ALBA *See Note 1 below		

In summary, this would mean :

Note 1: If allocation to Committees or Boards are not wished by the LD/ALBA Members, it is acceptable for the Council to determine the membership of Committees i.e. LD /ALBA are not compelled to take up a place.

5.6 When considering adjustments to the membership of Committees to reflect the present political balance, the Council should seek to ensure that the replacement Member on each of the main Committees reflects the political balance as far as possible and in line with what each member may wish as individuals.

Appendix 2 sets out the existing membership of the Committees, General Purpose Board and Planning Board **Appendix 3** sets out the proposed membership to address the political balance.

- 5.7 The Council could, of course, seek to review the Membership of all Committees and Boards in implementing its decisions to reflect the new political balance, but the above summary in 5.1 to 5.5 provides for the greatest continuity in arrangements with the least disruption to established Committees and Boards in the final 12 months of the Administration.
- 5.8 The Licensing Board is a separate Statutory body and as the existing membership does not reflect the political balance with there being three Labour, three SNP, one Conservative and one Independent there is no formal requirement to include it in the current re-balancing exercise. Furthermore there is a requirement that any member of the Licensing Board must complete mandatory training before sitting on the Board. In the circumstances it is proposed that the Licensing Board is excluded from the re-balancing exercise.
- 5.9 The Strategic Leaders Forum, a sounding board for the Chief Executive, and the Members' Budget Working Group should comprise the Leader, the Deputy Leader and the Leader of each of the political groups on the Council. Because of this, membership of the Strategic Leaders Forum and the MBWG should be amended to now include the ALBA representation.
- 5.10 There are currently 2 SNP Members on the HR Appeals Board which has 6 Members in total. In order to achieve a political balance of representation it is necessary for the SNP Group to reduce by 1 Member and 1 Member requires to be appointed from the Conservative/Liberal Democrats/Alba. Appendix 6 details the political balance for 3-8 Member bodies when SNP had 7 Members and Appendix 7 provides the same details for the current political balance.

6.0 REPRESENTATIVES TO OUTSIDE BODIES

- 6.1 In terms of paragraph 5.4 of the Council's Scheme of Administration, the Council requires to ensure that appointments to Outside Bodies reflect as far as practicable the balance of political representation on the Council where more than 2 representatives of the Council are required.
- 6.2 It is essential to reflect as far as possible the actual political balance of the Council in Committees, Sub-Committees and Boards. With Outside Bodies, however, it remains important but not essential to apply the political balance and some discretion is possible. This discretion can take into account Member availability for the range of tasks and attendances involved with the respective Outside Bodies. This discretion appears also to have accommodated, at times, a less formal political balance among the individual political parties with a general balance being attained informally between the Administration and the Opposition, overall, rather than a party-by-party split.
- 6.3 As listed in **Appendix 4**, there are 14 Outside Bodies where more than 2 representatives of the Council are required and the current Political membership of each Outside Body with more than 2 representatives is set out.
- 6.4 The current party-by-party balance is set out for information and guidance in **Appendix 5.** This party-by-party approach can be modified by the Council if it wished to take account of pressures on Members or their individual wishes for representation on the Outside Bodies by

a more general arrangement based on the overall proportion of Labour Members (36.36%) to all Opposition Members (63.64%).

6.5 Councillor McEleny is presently the Council's representative on the Clyde Ferry Users Group. This Group has two members.

7.0 IMPLICATIONS

7.1 Finance

Financial Implications:

One off Costs

Cost Centre	Budget Heading	•	Proposed Spend this Report	Other Comments
N/A				

Annually Recurring Costs/ (Savings)

Cost Centre	•	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

7.2 Legal

There are no legal implications.

7.3 Human Resources

There are no human resources implications.

7.4 Equalities

Equalities

(a) Has an Equality Impact Assessment been carried out?

	YES
Х	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

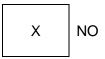
(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

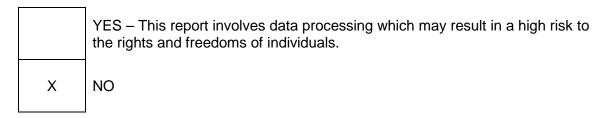


YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.



(c) Data Protection

Has a Data Protection Impact Assessment been carried out?



7.5 Repopulation

There are no repopulation implications.

8.0 CONSULTATIONS

- 8.1 N/A
- 9.0 BACKGROUND PAPERS
- 9.1 N/A

<u>APPENDIX 1 – POLITICAL BALANCE (STANDING COMMITTEES, GENERAL PURPOSES BOARD AND PLANNING BOARD)</u>

EXISTING

PARTY	NO. MEMBERS	% OF TOTAL	NUMBER	REPRESENTATION
Labour	8	36.36	4	4
SNP	7	31.82	3.5	3 or 4
Independent	4	18.18	2	2
Conservative	2	9.09	1	1
Liberal Democrat	1	4.55	0.5	1 or 0
	22	100	11	11

Of the 6 Standing Committees (Policy & Resources, Environment & Resources, Education & Communities, Health & Social Care, Police & Fire, Audit) General Purposes Board and Planning Board four have 4 SNP Members and four have 3 SNP Members and 1 Liberal Democrat Member.

PROPOSED

PARTY	NO. MEMBERS	% OF TOTAL	NUMBER	REPRESENTATION
Labour	8	36.36	4	4
SNP	6	27.27	3	3
Independent	4	18.18	2	2
Conservative	2	9.09	1	1
Liberal Democrat	1	4.55	0.5	
ALBA	1	4.55	0.5	- 1
	22	100	11	11

APPENDIX 2 - MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES AND BOARDS - EXISTING

COMMITTEE	NO. MEMBERS ON COMMITTEE	LABOUR	SNP	LIB DEM	CONS	INDEPENDENT
Policy & Resources	11	4	3	1	1	2
Environment & Regeneration	11	4	4	0	1	2
Education & Communities	11	4	4	0	1	2
Health & Social Care	11	4	3	1	1	2
Audit	11	4	3	1	1	2
General Purposes Board	11	4	4	0	1	2
Planning Board	11	4	3	1	1	2
HR Appeals Board	5	2	2	0	0	1
Policy & Resources Executive Sub-Committee	6	2	2	0	1	1
Grants Sub-Committee	6	2	2	0	1	1
Local Review Body	7	2	2	1	1	1
Local Police & Fire	11	4	4	0	1	2
Petitions Committee	6	2	2	0	1	1

APPENDIX 3 – MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES AND BOARDS AS PER OPTION IN PARAGRAPH 5.5

COMMITTEE	NO. MEMBERS ON COMMITTEE	LABOUR	SNP	LIB DEM	CONS	INDEPENDENTS	ALBA	COMMENTS
Policy & Resources	11	4	3	1	1	2	0	Unaffected
Environment & Regeneration	11	4	3	0	1	2	1	Replace 1 SNP Member with 1 Alba Member
Education & Communities	11	4	3	0	1	2	1	Replace 1 SNP Member with 1 Alba Member – see note 1
Health & Social Care	11	4	3	1	1	2	0	SNP entitled to nominate a replacement as Cllr Chris McEleny was one of their 3 Members
Audit	11	4	3	1	1	2	0	Unaffected
General Purposes Board	11	4	3	0	1	2	1	Replace 1 SNP Member with 1 Alba Member
Planning Board	11	4	3	1	1	2	0	Unaffected
HR Appeals Board	5	2	1	#	#	1	#	Replace 1 SNP member with 1 Member from those marked #
Policy & Resources Executive Sub- Committee	6	2	2	0	1	1	0	Unaffected
Grants Sub-Committee	6	2	2	0	1	1	0	Unaffected
Local Review Body	7	2	2	1	1	1	0	Unaffected
Local Police & Fire	11	4	3	0	1	2	1	Replace 1 SNP Member with 1 Alba Member
Petitions Committee	6	2	2	0	1	1	0	Unaffected

Note 1: The political balance requires the Lib Dem Member and the Alba Member to have, as far as possible, equality of representation on Committees and Boards. This can be achieved by the SNP Group relinquishing one Member from the main Committees/Boards on which they have 4 Members

APPENDIX 4 – OUTSIDE BODIES (MORE THAN 2 REPRESENTATIVES) - EXISTING

OUTSIDE BODY	NO. OF MEMBERS	LABOUR	SNP	LIB DEM	CONS	INDEPENDENT
Fair Trade Steering Group	3	1	0	0	1	1
Inverclyde Alliance Board	4	1	1	0	1	1
Inverclyde Branch of the Scottish Veterans' Garden City Assoc (inc)	5	1	2	1	0	1
Inverclyde Community Development Trust	3	1	1	0	0	1
Inverclyde Leisure	4	1	1	0	1	1
James Campbell Buchanan Trust	5	2	2	0	0	1
Peter Stanton Memorial Trust - Trustees	3	2	1	0	0	0
Renfrewshire Valuation Joint Board	4	1	1	0	1	1
Riverside Inverclyde	3	1	1	0	0	1
Accident Awareness Scotland	3	1	1	0	0	1
Boglestone Community Association	3	1	1	0	1	0
Inverclyde Integration Joint Board	4	1	1	1	0	1
Inverclyde Alcohol & Drug and Drugs Partnership	3	1	2	0	0	0
Shared Services Joint Committee	4	1	1	0	1	1

APPENDIX 5 – POLITICAL BALANCE (OUTSIDE BODIES)

3 REPRESENTATIVES

PARTY	NO. MEMBERS	% OF TOTAL	NUMBER	REPRESENTATION PARTY-BY-PARTY	REPRESENTATION ADMINISTRATION/OVERALL	
Labour	8	36.36	1.09	1	1	
SNP	6	27.27	0.81	1		
Liberal Democrat	1	4.45	0.14			
Conservative	2	9.09	0.27		2	
Independent	4	18.18	0.55	1		
Alba	1	4.45	0.14			

4 REPRESENTATIVES

PARTY	NO. MEMBERS	% OF TOTAL	NUMBER	REPRESENTATION PARTY-BY-PARTY	REPRESENTATION ADMINISTRATION/OVERALL
Labour	8	36.36	1.45	1	1
SNP	6	27.27	1.09	1	
Liberal Democrat	1	4.45	0.73		
Conservative	2	9.09	0.36		3
Independent	4	18.18	0.18	2	
Alba	1	4.45	0.18		

5 REPRESENTATIVES

PARTY	NO. MEMBERS	% OF TOTAL	NUMBER	REPRESENTATION PARTY-BY-PARTY	REPRESENTATION ADMINISTRATION/OVERALL
Labour	8	36.36	1.82	2	2
SNP	6	27.27	1.36		
Liberal Democrat	1	4.45	0.23		
Conservative	2	9.09	0.45	3	3
Independent	4	18.18	0.91		
Alba	1	4.45	0.23		

Appendix 6

Issued for assistance in terms of Rule 54 of the Council's Standing Orders

Intended Political Balance Sub-Committees, Boards and Outside Bodies

		3 Members on Body (8 Bodies)		Other Acceptable Allocation Option	4 Members on Body (5 Bodies)		Other Acceptable Allocation Option	5 Member (4 Bo		Other Acceptable Allocation Option	6 Members on Body (3 Bodies)		Other Acceptable 7 Members on Allocation (0 Bodies Option			Other Acceptable Allocation Option		8 Members on Body (1 Body)	
		Numerical Entitlement	Allocation Based on Numbers	Allocation Based on Spread	Numerical Entitlement	Allocation Based on Numbers	Allocation Based on Spread	Numerical Entitlement	Allocation Based on Numbers	Allocation Based on Spread	Numerical Entitlement	Allocation Based on Numbers	Allocation Based on Spread	Numerical Entitlement	Allocation Based on Numbers	Allocation Based on Spread	Numerical Entitlement	Allocation Based on Numbers	Allocation Based on Spread
LAB	8	1.09	1	1	1.45	1	1	1.82	2	2	2.18	2	2	2.55	3	3	2.91	3	3
SNP	7	0.95	1	1	1.27	1	1	1.59	2		1.91	2	2	2.23	2	2	2.55	3	3
INTERNAL IND COALITION	4	0.55	1		0.73	1		0.91	1		1.09	1	1	1.27	1	1	1.45	1	1
CON	2	0.27		1	0.36		2	0.45	0	3	0.55	1		0.64	1		0.73	1	
LD	1	0.14 .	0		0.18			0.23			0.27	0		0.32	0	1	0.36	0	
TOTAL	22		3			_4			<u>5</u>			_6							

Appendix 7

Issued for assistance in terms of Rule 54 of the Council's Standing Orders

Intended Political Balance Sub-Committees, Boards and Outside Bodies

		3 Members on Body (8 Bodies)		Other Acceptable Allocation Option	4 Members on Body (5 Bodies)		Other Acceptable Allocation Option	5 Members on Body (4 Bodies)		Other Acceptable Allocation Option	6 Members on Body (3 Bodies)		Other Acceptable Allocation Option	7 Members on Body (0 Bodies)		Other Acceptable Allocation Option	8 Members on Body (1 Body)		Other Acceptable Allocation Option
		Numerical Entitlement	Allocation Based on Numbers	Allocation Based on Spread	Numerical Entitlement	Allocation Based on Numbers	Allocation Based on Spread												
LAB	8	1.09	1	1	1.45	1	1	1.82	2	2	2.18	2	2	2.55	3	3	2.91	3	3
SNP	6	0.81	1	1	1.09	1	1	1.36	1		1.64	2	2	1.91	2	2	2.19	2	2
INTERNAL IND COALITION	4	0.55	1		0.73	1		0.91	1		1.09	1	1	1.27	1	1	1.45	1	
CON	2	0.27	0	1	0.36	1	2	0.45		3	0.55	1		0.64	1		0.73	1	3
LD	1	0.14			0.18			0.23	1		0.27	0	1	0.32	0	1	0.36	1	
ALBA	1	0.14			0.18			0.23			0.27			0.32			0.36	1	
TOTAL	22	1	<u></u>					5						<u> </u>			_8		