

<b>26 August 2015</b>		<b>ITEM: 7</b>
<b>Council</b>		
<b>Political Balance</b>		
<b>Wards and communities affected:</b> None	<b>Key Decision:</b> Not Applicable	
<b>Report of:</b> David Bull, Interim Chief Executive		
<b>Accountable Head of Service:</b> Fiona Taylor, Head of Legal & Democratic Services		
<b>Accountable Director:</b> David Bull, Interim Chief Executive		
<b>This report is public.</b>		

## **Executive Summary**

This report requests the Council to confirm the calculations relating to the allocation of seats on committees following Councillor Colin Churchman ceasing to be a member of the UKIP group in the chamber as stated at Full Council on 22 July 2015.

### **1. Recommendation(s)**

**1.1 That the allocation of seats, as set out in Appendix 1 and 2.16, be approved.**

### **2. Introduction and Background**

- 2.1 Political Groups on the Council are formed in accordance with the Local Government (Committees and Political Groups) Regulations 1990 when two or more councillors notify the Chief Executive, as Proper Officer, of their wish to be treated as a group.
- 2.2 Section 15 of the Local Government and Housing Act 1989 imposes a duty on the local authority to agree political balance following a change in political group numbers as soon as possible after the changes have been made.
- 2.3 The following principles apply to the allocation of seats:
- (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.
- 2.4 Sub-committees, with the exception of the Licensing Sub-Committee, 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.
- 2.5 The Local Government and Housing Act 1989 requires that, once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.
- 2.6 Any non-aligned members are to be appointed to available seats on committees by the Council.
- 2.7 The Cabinet and the Health and Wellbeing Board are not required to be proportional and so are outside of the political balance calculation. Likewise, the Council decided that the Joint Appointments Committee was not required to be proportional and so this too is also outside of the calculation.
- 2.8 The Leader of the Council appoints the Cabinet and, in accordance with the Terms of Reference.
- 2.9 It is open to the Council when carrying out a review to adopt some arrangement other than that prescribed by the Act and the Regulations. Notice of such a proposal would have to be given in the Summons, and a decision would need to be made with no one voting against it. The remainder of this report therefore assumes that the Council will not want an alternative arrangement to that prescribed by law.

### **Political proportionality**

- 2.10 The political balance of the Council can be calculated by using the simple formula below (to two decimal places):

$$\frac{\text{No. of Group Members} \times 100}{49}$$

2.11 Following the change in political group membership on 22 July 2015, the political balance of the Council set out in Table 1 below:

<b>Group</b>	<b>Councillors</b>	<b>%</b>
Labour	18	36.74%
Conservative	17	34.69%
UKIP	11	22.45%
Ungrouped	3	6.12%
<b>Total</b>	<b>49</b>	<b>100</b>

2.12 The calculation to determine the strict entitlement of political groups to seats on committees is as follows:

$$\frac{\% \text{ from Table 1}}{100} \times \text{Total No. of seats available (81 seats)}$$

This equates to the following seat allocations:

- Labour                    30 seats
- Conservative            28 seats
- UKIP                      18 seats
- Independent             5 seats

2.13 In order to ascertain the number of seats to be allocated to political groups on each committee, the following calculation is required to be undertaken:

$$\frac{\% \text{ from Table 1}}{100} \times \text{No. of committee places available}$$

2.14 After applying the above calculation to each of the committees, the following results can be seen:

(a) 6 member committee – applies to all **Overview & Scrutiny committees and the Standards & Audit Committee**

- Lab                    36.74 / 100 x 6 =            2.20 =            **2 seat(s)**
- Con                   34.69 / 100 x 6 =            2.08 =            **2 seat(s)**
- UKIP                22.45/ 100 x 6 =            1.35 =            **1 seat(s)**
- Ind                    6.12/ 100 x 6 =            0.38 =            **0 seat(s)**

From the calculations set out above, a manual adjustment is required, as explained in paragraph 3.9 of this report.

(b) 7 member committee – applies to the **General Services Committee**

• Lab	$36.74 / 100 \times 7 =$	2.57	=	<b>3 seat(s)</b>
• Con	$34.69 / 100 \times 7 =$	2.43	=	<b>2 seat(s)</b>
• UKIP	$22.45 / 100 \times 7 =$	1.57	=	<b>2 seat(s)</b>
• Ind	$6.12 / 100 \times 7 =$	0.43	=	<b>0 seat(s)</b>

(c) 8 member committee – applies to the **Corporate Parenting Committee**

• Lab	$36.74 / 100 \times 8 =$	2.94	=	<b>3 seat(s)</b>
• Con	$34.69 / 100 \times 8 =$	2.78	=	<b>3 seat(s)</b>
• UKIP	$22.45 / 100 \times 8 =$	1.80	=	<b>2 seat(s)</b>
• Ind	$6.12 / 100 \times 8 =$	0.49	=	<b>0 seat(s)</b>

(d) 9 member committee – applies to the **Planning Committee**

• Lab	$36.74 / 100 \times 9 =$	3.31	=	<b>3 seat(s)</b>
• Con	$34.69 / 100 \times 9 =$	3.12	=	<b>3 seat(s)</b>
• UKIP	$22.45 / 100 \times 9 =$	2.02	=	<b>2 seat(s)</b>
• Ind	$6.12 / 100 \times 9 =$	0.55	=	<b>1 seat(s)</b>

(e) 15 member committee – applies to the **Licensing Committee**

• Lab	$36.74 / 100 \times 15 =$	5.51	=	<b>6 seat(s)</b>
• Con	$34.69 / 100 \times 15 =$	5.20	=	<b>5 seat(s)</b>
• UKIP	$22.45 / 100 \times 15 =$	3.37	=	<b>3 seat(s)</b>
• Ind	$6.12 / 100 \times 15 =$	0.92	=	<b>1 seat(s)</b>

2.15 **Appendix 1** shows a rounded allocation of seats to each political group. This is then required to be manually adjusted to ensure that the number of seats allocated to a particular political group matches and does not exceed their entitlement.

2.16 From the figures set out in **Appendix 1**, the following manual adjustments are required:

- UKIP are required to allocate **2** seats across Overview and Scrutiny Committees and/or the Standards & Audit Committee.
- Labour are required to allocate **1** seat across Overview and Scrutiny Committees and/or the Standards & Audit Committee.
- Conservatives are required to allocate **1** seat across Overview and Scrutiny Committees and/or the Standards & Audit Committee.

- 2.13 Those members who are not members of political groups have no legal entitlement to an allocation of seats on committees. However, the political groups are entitled to their proportion of seats and once their entitlement has been reached, the remaining seats may be filled by members not belonging to a political group. Such Members are classed as being non-aligned.
- 2.14 The LGA Independent Group has taken the view that in the true spirit of the Act, that morally or democratically, non-aligned councillors are entitled to fair representation. Groups are not entitled to have more than their share and thus they cannot exclude councillors that are not grouped i.e. single party councillors or non-aligned Independent councillors. For example in an authority of 49 councillors with one non-grouped councillor, the council must make 1/49 of the places available.

### **3. Reasons for Recommendation**

- 3.1 The Council is required to make the required appointments to those committees that have been established to facilitate the efficient discharge of its functions.

### **5. Consultation (including Overview and Scrutiny, if applicable)**

- 5.1 Consultation has been undertaken in respect of this report with the Leaders of each of the political groups represented on the Council. Their agreement has been obtained to the calculations relating to the allocation of seats on committees and their respective nominations are put before Council for approval.

### **6. Impact on corporate policies, priorities, performance and community impact**

- 6.1 Appointing members to those committees established at Agenda Item 11, in accordance with the political balance of the Council and associated allocation of seats on committees, will enable the Council to properly discharge its functions.

### **7. Implications**

#### **7.1 Financial**

Implications verified by: **Mike Jones**  
**Management Accountant**

The cost of servicing these committees will be met through the existing budgets.

## 7.2 Legal

Implications verified by: **David Lawson**  
**Monitoring Officer**

These are set out in the body of the report.

## 7.3 Diversity and Equality

Implications verified by: **Rebecca Price**  
**Community Development Officer**

The Council is under a statutory duty to ensure that equality and diversity is a key part of the decision making process of the Council. Therefore, attention is drawn to the importance of ensuring that appointments to committees are underpinned by appropriate training on the statutory equality framework. The introduction of essential member training provides the assurance that members of committees will be able to fulfil their obligations with a full understanding of equality and diversity issues. This is fundamental to the Council being able to meet its statutory responsibilities. However, consideration must be given to members not completing the training or not attending, and the steps to be taken in these circumstances, once the member has been appointed.

## 7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

## 8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- None.

## 9. Appendices to the report

There are the following appendices to this report:

- **Appendix 1** – Allocation of seats.

### Report Author:

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