

Allocation of Seats to Political Groups 22 June 2022

Report of the Head of Democratic Services

PURPOSE OF REPORT

To advise Council of the calculations relating to the allocation of seats in accordance with the Local Government and Housing Act 1989 to allow Council to appoint to Committees as required at the annual meeting, as set out in Part 3, Section 1, Paragraph 1 (h) of the Constitution.

This report is public.

RECOMMENDATIONS

- 1) **That in accordance with Section 15 of the Local Government and Housing Act, 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations, 1990, the City Council approves the calculations and allocation of seats set out in this report, including the adjustments set out in paragraph 5.**

1.0 Introduction

- 1.1 A calculation of political composition is undertaken at each annual council meeting to determine the political balance on the council's committees. Re-calculations are made as and when the political make-up of the council changes.
- 1.2 The calculation has been revised in this report to take into account the sad passing of Councillor Janice Hanson and the result of a recent by-election in Ellel Ward.

2.0 Composition of the Council

- 2.1 The current make-up of the Council is:-

Labour	15
Green	11
Conservative	10
Morecambe Bay Independents (MBI)	10
Independent Group	5
Eco-Socialist	4
Liberal Democrat	4
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	59

There is one vacant seat in Harbour ward.

3.0 Seats Across Committees

3.1 Calculating each committee separately and individually, as shown in 3.2 below, would give an overall total out of the 78 seats of:-

Labour	4+3+4+10	= 21
Green	3+2+4+5	= 14
Conservative	$2\frac{1}{2}+2+2+5$	= $11\frac{1}{2}$
MBI	$2\frac{1}{2}+2+2+5$	= $11\frac{1}{2}$
Independent Group	1+1+2+5	= 9
Eco-Socialist	1+0+2+ ($2\frac{1}{2}$)	= ($5\frac{1}{2}$)
Lib Dem	as above	= ($5\frac{1}{2}$)
		<u>78</u>

3.2 15 Member Committee (Planning Regulatory)

Labour	$15/59 \times 15 = 3.8136$	(4)
Green	$11/59 \times 15 = 2.7966$	(3)
Conservative	$10/59 \times 15 = 2.5424$	($2\frac{1}{2}$)
MBI	$10/59 \times 15 = 2.5424$	($2\frac{1}{2}$)
Independent Group	$5/59 \times 15 = 1.2712$	(1)
Eco-Socialist	$4/59 \times 15 = 1.0169$	(1)
Lib Dem	$4/59 \times 15 = 1.0169$	(1)
		(15)

There are only 15 seats. The Conservative and MBI groups, having the same residual, tie for the last seat on the Planning Committee.

10 Member Committee (Licensing Regulatory)

Labour	$15/59 \times 10 = 2.5424$	(3)
Green	$11/59 \times 10 = 1.8644$	(2)
Conservative	$10/59 \times 10 = 1.6949$	(2)
MBI	$10/59 \times 10 = 1.6949$	(2)
Independent Group	$5/59 \times 10 = 0.8474$	(1)
Eco-Socialist	$4/59 \times 10 = 0.6780$	(0)
Lib Dem	$4/59 \times 10 = 0.6780$	(0)
		(10)

9 Member Committees x 2 (Overview and Scrutiny, Budget and Performance)

Labour	$15/59 \times 9 = 2.2881$	(2)
Green	$11/59 \times 9 = 1.6780$	(2)
Conservative	$10/59 \times 9 = 1.5254$	(1)
MBI	$10/59 \times 9 = 1.5254$	(1)
Independent Group	$5/59 \times 9 = 0.7627$	(1)
Eco-Socialist	$4/59 \times 9 = 0.6102$	(1)
Lib Dem	$4/59 \times 9 = 0.6102$	(1)
		(9)

There are only 9 seats. The groups with the lowest residuals, the Conservative and MBI groups, are rounded down.

7 Member Committees x 5 (Personnel, Audit, CBC, Appeals, Standards)

Labour	15/59x7=	1.7797	(2)
Green	11/59x7=	1.3051	(1)
Conservative	10/59x7=	1.1864	(1)
MBI	10/59x7=	1.1864	(1)
Independent Group	5/59x7=	0.5932	(1)
Eco-Socialist	4/59x7=	0.4746	$\frac{1}{2}$
Lib Dem	4/59x7=	<u>0.4746</u>	$\frac{1}{2}$
			(7)

There are only 7 seats. There is a tie for the last seat between the Eco-Socialist and Liberal Democratic groups being the two groups with the largest residual.

- 3.3 However, the calculation of the 78 committee places on all standing committees cannot be calculated separately and individually. It **must** be undertaken using rules A-E, set out in s. 15(5) of the Local Government and Housing Act 1989. Those rules are explained in **Appendix A** and the aggregate calculation is show below:-

4.0 Aggregate Calculation (RULE C)

Political Group	Number in each group/total number of Cllrs in political groups (59) X total number of committee seats (78)	Actual	Rounded
Labour	15/59x78	19.8305	20
Green	11/59x78	14.5424	15
Conservative	10/59x78	13.2203	13
MBI	10/59x78	13.2203	13
Independent Group	5/59x78	6.6102	7
Eco-Socialist	4/59x78	5.2881	5
Liberal Democrat	4/59x78	5.2881	5
			(78)

5.0 Adjustments to be made

- 5.1 A list has been circulated to all Group Administrators showing the ideal spread of places each committee would have if the calculation at 3.1 could be used, as well as the number of seats each group **must** have overall as per the table in 4.0 above.

6.0 Committee System Working Group

- 6.1 Council established a nine member task and finish Working Group, politically balanced, in December 2019.
- 6.2 The Group currently has 2 Labour, 2 Green, 1 Conservative, 1 MBI, 1 Independent, 1 Eco-Socialist Independent and 1 Liberal Democrat member. This is consistent with the 9 member calculation and does not need any adjustment.

7.0 Conclusion

- 7.1 Members are requested to agree the new calculation so that appointments can be made to Committees.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

There are no direct implications as a result of this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a direct result of this report.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no comments

LEGAL IMPLICATIONS

This report has been prepared in accordance with the provisions of Section 15 of the Local Government and Housing Act, 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations 1990.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments.

BACKGROUND PAPERS

Affiliation to Political Groups file.

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THE RULES

The main rules are set out in s. 15(5) LGHA, and they are to be applied sequentially. So Rule B cannot override Rule A; Rule C cannot override Rules A and B; and Rule D cannot override Rules A, B or C. An additional rule is set out in s. 16.

Rule A: all the seats on a committee or sub-committee may not be allocated to members of the same political Group. Note that this does not require that each political Group needs to be represented on each committee or sub-committee.

Rule B: where a majority of the members of Council are members of the same political Group, a majority of the seats on each committee and sub-committee must be allocated to that political Group. So, where there is a majority Group, it must be allocated a minimum of 2 seats on each committee or sub-committee of 3 members, 3 seats on each committee or sub-committee of 4 members, and so on. This means that, where a political Group enjoys a narrow majority on Council, that majority Group will be allocated significantly more seats than would result from simple proportionality. Incidentally, the combination of Rules A and B reinforces the point that the minimum size of a committee or sub-committee ought to be 3.

Rule C: deals with the aggregate of seats on all committees, taken together. [It does not apply to sub-committees, joint committees or outside bodies (see later)]. It provides that, subject to Rules A and B, the relationship between the total number of committee seats allocated to each Group and the total number of seats on all committees must, as near as possible, be the same as the relationship between the number of members of the Group as a proportion of the total number of members of Council. This is subject to Rules A and B.

Rule D: Having worked out how many committee seats are to be allocated to each political Group, Rule D then determines which committees those seats relate to. Rule D now says that, taking each committee separately, the seats on that committee must be allocated as close to proportionately as possible, without offending Rules A, B or C

There is also a "**Rule E**", inserted into s.16 by reg. 16(3), which provides that, where appointments to seats are to be made other than in accordance with Rules A to D (i.e. to seats which are not allocated to a political Group) then the Council or the committee must appoint members to those seats who are not members of a political Group. The exact wording is:

“(2A) Where appointments fall to be made to seats on a body to which section 15 applies otherwise than in accordance with a determination under that section, it shall be the duty of the authority or the committee, as the case may be, so to exercise their power to make appointments as to secure that the persons appointed to those seats are not members of any political Group.”