



## Allocation of Seats to Political Groups

24 July 2024

### Report of the Senior Manager, Democratic Support and Elections

#### 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 following a change to the political composition of the Council.

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 the table in 3.4 of the report.

#### 1.0 Introduction.

- 1.1 There has been a change since the calculation was agreed at the Annual Council meeting on 13 May 2024, as a result of the resignation of Labour Councillor Erin Hall and the subsequent by-election.
- 1.2 The by-election for the University Ward of the City Council was held on 4 July 2024. Councillor Maria Deery was elected for the Green Party and joins the Green Group on the Council.

#### 2.0 Change in Composition of the Council

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

Labour	23
Green and Independent Group	22
Liberal Democrats	7
Conservative	5
MBIs	3
Non-aligned Independent	1
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- 2.2 The table below shows the changes required across all 78 committee seats based upon the revised political composition of the Council.

### 3.0 Political Balance on Committees

3.1 If political balance was calculated separately on each committee the figure would be as set out below for each size of committee:-

#### 3.2 15 Member Committee (Planning Regulatory)

Labour	$23/60 \times 15 = 5.7499$	(6)
Green	$22/60 \times 15 = 5.4999$	(5)
Liberal Democrat	$7/60 \times 15 = 1.7499$	(2)
Conservative	$5/60 \times 15 = 1.2499$	(1)
MBI	$3/60 \times 15 = 0.7500$	(1)
	<b>Total</b>	<b>(15)</b>

#### 10 Member Committee (Licensing Regulatory)\*

Labour	$23/60 \times 10 = 3.8333$	(4)
Green	$22/60 \times 10 = 3.6666$	(4)
Liberal Democrat	$7/60 \times 10 = 1.1666$	(1)
Conservative	$5/60 \times 10 = 0.8333$	(1)
MBI	$3/60 \times 10 = 0.5000$	(0)
	<b>Total</b>	<b>(10)</b>

*\*At the Annual Council meeting in May, the Green and MBI groups tied for a place on this committee.*

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

Labour	$23/60 \times 9 = 3.4499$	(3)
Green	$22/60 \times 9 = 3.2999$	(3)
Liberal Democrat	$7/60 \times 9 = 1.0499$	(1)
Conservative	$5/60 \times 9 = 0.7499$	(1)
MBI	$3/60 \times 9 = 0.4500$	(1)
	<b>Total</b>	<b>(9)</b>

\*Figures rounded, with the last place going to the group with the largest residual (MBI)

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

Labour	$23/60 \times 7 = 2.6833$	(3)
Green	$22/60 \times 7 = 2.5666$	(2)
Liberal Democrat	$7/60 \times 7 = 0.8166$	(1)
Conservative	$5/60 \times 7 = 0.5833$	(1)
MBI	$3/60 \times 7 = 0.3500$	(0)
	<b>Total</b>	<b>(7)</b>

\*Figures rounded. However there are only seven seats on each committee so the group with the smallest residual (Green) is rounded down.

3.3 If all the Committees could be calculated individually, as shown above, the result for the 78 places would be as shown overleaf:

3.3 The figures above would give an overall total out of the 78 seats of:-

Labour	6+4+6+15	= 31
Green	5+4+6+10	= 25
Liberal Democrat	2+1+2+5	= 10
Conservative	1+1+2+5	= 9
MBI	1+0+2+0	= 3
<b>TOTAL</b>		<b><u>78</u></b>

3.4 However, the individual committee calculations are a guide only to the balanced composition of each committee. The calculation of the 78 committee places on all standing committees **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 as shown on the table below under the column “July 2022”. The necessary adjustments are shown in the highlighted right-hand column of that same table.

	May 2024	Actual	Rounded	July 2024	Actual	Rounded	Change
<b>Labour</b>	24/60x78	31.2000	31	23/60x78	29.8999	30	-1
<b>Green</b>	21/60x78	27.3000	27	22/60x78	28.5999	29	+2
<b>Lib Dem</b>	7/60x78	9.0999	9	7/60x78	9.0999	9	-
<b>Conservative</b>	5/60x78	6.4999	7*	5/60x78	6.4999	6	-1
<b>MBI</b>	3/60x78	3.9000	4	3/60x78	3.9000	4	-
	TOTAL		78	TOTAL		78	

*\*It should be noted that in May 2024 the Conservative Group, as the group with the largest residual, was rounded up from 6 seats overall, to 7 seats overall.*

#### 4.0 Conclusion

4.1 Members are requested to agree the new calculation so that the appropriate adjustments can be made – the Labour and Conservative Groups passing one seat each to the Green Group - following this change to the political composition of the Council.

#### 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.

<b>MONITORING OFFICER'S COMMENTS</b>	
The Monitoring Officer has been consulted and has no comments.	
<b>BACKGROUND PAPERS</b>	<b>Contact Officer:</b> Debbie Chambers <b>Telephone:</b> 01524 582057 <b>E-mail:</b> dchambers@lancaster.gov.uk

## **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.”*