

**Allocation of Seats to Political Groups
23 May 2011**

Report of Chief Executive

PURPOSE OF REPORT

To advise Council of the calculations relating to the allocation of seats following the City Council Elections on 5 May 2011, in accordance with the Local Government and Housing Act 1989 and the Council's agreed protocol.

This report is public

RECOMMENDATIONS

- (1) That consideration be given to the confirmation of the constitution of the following Committees which are not required to be, but have previously been subject to the political balance requirements of the Local Government and Housing Act 1989:
 - Standards Committee
 - Licensing Act Committee
- (2) That in undertaking the PR calculations on the Council's Committees the Council's agreed protocol be confirmed, utilising the following groupings:
 - Overview and Scrutiny (2 x 9)
 - Regulatory and timetabled Committees of Council (1 x 20 (Planning), 1 x 15 (Licensing Act)(subject to decision in (1) above), 1 x 9 (Licensing Regulatory Committee) and 2 x 7 (Personnel and Audit)
 - Remaining Standing and Joint Committees to be calculated separately and individually.
- (3) That pursuant to Section 15 of the Local Government and Housing Act, 1989, the City Council allocates the seats on Overview & Scrutiny, Regulatory, Standing and Joint Committees in accordance with the calculations set out in paragraph 5 of the report.
- (4) That Council notes that the allocation of seats referred to in (3) above is subject to review from time to time 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.

1.0 Introduction

- 1.1 In accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, it is open to the Council to devise a scheme for ensuring political balance on the different bodies of the Council.
- 1.2 In effect this means that there is a choice between undertaking the PR calculation separately for each Committee or combining the numbers on 2 or more Committees in the calculation to ensure a political balance across a group of Committees.

2.0 Background

- 2.1 At its meeting on 11th May 2006 Council agreed the following protocol and groupings for the calculation of proportional representation (PR) on the Council's Cabinet, Overview & Scrutiny and Committees:

- (i) the calculation be undertaken using 4 decimal places;
- (ii) the allocation of a final seat to a Group with the same residual be to the largest under-represented Group provided that this does not result in the largest over-representation; and
- (iii) In the event that the foregoing rules do not resolve the situation, either because of a tie, or because the allocation would result in the largest over-representation, the seat be allocated by drawing lots under the supervision of the Mayor.
- (iv) the calculation should be undertaken in relation to the following groupings:
 - Overview and Scrutiny (2 x 9)
 - Regulatory and other timetabled Committees (1 x 20(Planning), 1 x 15 (Licensing Act), 1 x 9 (Licensing Regulatory) and 2 x 7 (Personnel and Audit)
 - Remaining Standing and Joint Committees to be calculated separately and individually.

3.0 Licensing Act Committee

- 3.1 The City Council has established a Licensing Act Committee of 15 members under the Licensing Act 2003. Having been established under the Licensing Act rather than the Local Government Act 1972 this Committee is not required to be subject to the political balance regulations. However this Council has previously agreed that the Licensing Act Committee should be established on a PR basis and included in the Grouping calculations.
- 3.2 Council is therefore requested to confirm the continuation of this arrangement following the Elections or to re-establish the Committee in some other form. It should be noted that the Sub-committees which undertake the Licensing Act Hearings comprise 3 Members of the Licensing Act and are not subject to PR restrictions.

4.0 Standards Committee

- 4.1 Standards Committees are established under the Local Government Act 2000 and comprise independent and parish members as well as elected members of the

Council. They are not subject to the political balance regulations. This is to allow Standards Committees to be seen as above party politics and comprised of representatives that command the support of the whole authority regardless of political loyalties. Standards for England believes that Standards Committees should be constituted to ensure that no one political group dominates.

4.2 In an Authority such as the City Council at the present time where there is no overall control the use of PR ensures that this is the case. It is however for the Council to decide following the Elections whether it wishes to confirm the current establishment on a PR basis, but as a stand alone committee, not included in the Grouping arrangements.

5.0 Calculations

5.1 Compilation of the Council

Labour	24
Conservatives	16
Independents	10
Green	8
Free Independents	2
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5.2 Overview & Scrutiny

5.2.1 The PR Calculation for a single 9 Member Committee is as follows:

L:	24	(x 9/60)	=	3.6	=	4
C:	16	(x 9/60)	=	2.4	=	2
I:	10	(x 9/60)	=	1.5	=	2
G:	8	(x 9/60)	=	1.2	=	1
FI:	2	(x 9/60)	=	0.3	=	0
						<hr/> 9

5.2.2 Total number of seats allocated per group:

2 x 9 Members = 18 (:- 60) = 0.3 seats per Member

L:	24	x 0.3	=	7.2	=	7
C:	16	x 0.3	=	4.8	=	5
I:	10	x 0.3	=	3.0	=	3
G:	8	x 0.3	=	2.4	=	2
FI:	2	x 0.3	=	0.6	=	1
						<hr/> 18

5.2.3 Adjustments required:

The Labour Group and the Independent Group both owe 1 seat each on either the Overview and Scrutiny Committee or the Budget and Performance Panel to each of the Conservative and the Free Independent Groups.

5.3 Regulatory and Standing Committees of Council Grouping

5.3.1 The PR Calculation for individual 20 Member (Planning & Highways Regulatory), 15 Member (Licensing Act), 9 Member (Licensing Regulatory and 7 Member x 2 (Personnel and Audit) Committees is as follows:

i) 20 Member

L	24	(x 20/60)	=	8	=	8
C	16	(x 20/60)	=	5.3333	=	5
I	10	(x 20/60)	=	3.3333	=	3
G	8	(x 20/60)	=	2.6666	=	3
FI	2	(x 20/60)	=	0.6666	=	<u>1</u>
						20

ii) 15 Member

L	24	(x 15/60)	=	6	=	6
C	16	(x 15/60)	=	4	=	4
I	10	(x 15/60)	=	2.5	=	2
G	8	(x 15/60)	=	2	=	2
FI	2	(x 15/60)	=	0.5	=	<u>1</u>
						15

iii) 9 Member

L	24	(x 9/60)	=	3.6	=	4
C	16	(x 9/60)	=	2.4	=	2
I	10	(x 9/60)	=	1.5	=	2
G	8	(x 9/60)	=	1.2	=	1
FI	2	(x 9/60)	=	0.3	=	<u>0</u>
						9

iv) 7 Member (x2)

L	24	(x 7/60)	=	2.8	=	3
C	16	(x 7/60)	=	1.8666	=	2
I	10	(x 7/60)	=	1.1666	=	1
G	8	(x 7/60)	=	0.9333	=	1
FI	2	(x 7/60)	=	0.2333	=	<u>0</u>
						7

5.3.2 Total seats to be allocated per Group

$$20 + 15 + 9 + 7 + 7 = 58 \text{ (-:- 60) } = 0.9666 \text{ seats per member}$$

L	24	x 0.9666	=	23.1984	=	23
C	16	x 0.9666	=	15.4656	=	15
I	10	x 0.9666	=	9.666	=	10
G	8	x 0.9666	=	7.7328	=	8
FI	2	x 0.9666	=	1.9332	=	<u>2</u>
						58

5.3.3 Adjustments required:

Labour lose 1 seat and the Free Independent Group gain 1 seat.

5.4 Other Standing Committees

5.4.1 Remaining Standing Committees currently constituted with a PR of 7 are the Appeals, Council Business and Standards Committees. The PR calculation for these is 3:2:1:1

5.5 Appraisal Panel

5.4.2 On 13 April 2011, Council resolved that the Appraisal Panel be disestablished as a formal Committee of Council, and re-established as a member panel of seven members appointed on a PR basis which would fulfil the Council's obligations under its contract of employment with the Chief Executive. The PR calculation for the Panel is 3:2:1:1

6.0 Conclusion

6.1 Members are requested to approve the calculations, in order to enable appointments to be made to Overview & Scrutiny and Committees of Council as set out in the remainder of the Agenda.

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 further 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 further comments.

BACKGROUND PAPERS

Proportional Representation calculation file.
Affiliation to Political Groups file.

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P.R. LIST

		Labour	Cons	Indep	Green	Free Indep
1	=	1	0	0	0	0
2	=	1	1	0	0	0
3	=	1	1	1	0	0
4	=	2	1	1	0	0
5	=	2	1	1	1	0
6	=	2	2	1	1	0
7	=	3	2	1	1	0
8	=	3	2	1	1	0
9	=	4	2	2	1	0
10	=	4	3	2	1	0
11	=	4	3	2	2	0
12	=	5	3	2	2	0
13	=	5	4	3	2	0
14	=	6	4	2	2	0
15	=	6	4	2	2	1
16	=	6	4	3	2	1
17	=	7	4	3	2	1
18	=	7	5	3	2	1
19	=	8	5	3	2	1
20	=	8	5	3	3	1

Labour	24
Conservative	16
Independent	10
Green	8
Free Independent	2
TOTAL	60

As at 9 May 2011