

**Allocation of Seats to Political Groups
26 May 2015**

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 7 May 2015, 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 Licensing Act Committee which is not required to be, but has previously been subject to the political balance requirements of the Local Government and Housing Act 1989.
- (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 (2 x 15 (Planning and 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.

*The composition of the Planning Committee has since reduced to 15 Members.

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 Calculations

4.1 Compilation of the Council

Labour	29
Conservatives	19
Green	9
Independents	2
Free Independent	1
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	60

5.2 Overview & Scrutiny

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

L:	29	(x 9/60)	=	4.35	=	4
C:	19	(x 9/60)	=	2.85	=	3
G:	9	(x 9/60)	=	1.35	=	2
I:	2	(x 9/60)	=	0.3	=	0
FI:	1	(x 9/60)	=	0.15	=	0
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						9

5.2.2 However, on a PR calculation for 18, the total number of seats allocated per group results in three groups having the same residual Rounding up the figures would total 19 places, not the 18 places available, as shown below:

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

L:	29	x 0.3	=	8.7	=	9
C:	19	x 0.3	=	5.7	=	6
G:	9	x 0.3	=	2.7	=	3
I:	2	x 0.3	=	0.6	=	1
FI:	1	x 0.3	=	0.3	=	0
						<hr/>
						19

5.2.3 Since only 18 places are available, the groups with the same residual (Labour, Conservative and Green) are tied for the last two places. In accordance with the Council's protocol, the two last places must be decided by the drawing of lots, under supervision of the Mayor.

5.2.4 When the draw has been made, groups with an odd number of places must agree amongst themselves, and specify at the meeting, how many places they wish to take up on the Overview and Scrutiny Committee and how many on the Budget and Performance Panel. The result must be nine Members on each body.

5.3 Regulatory and Standing Committees of Council Grouping

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

i) 15 Member

L:	29	(x 15/60)	=	7.25	=	7
C:	19	(x 15/60)	=	4.75	=	5
G:	9	(x 15/60)	=	2.25	=	2
I:	2	(x 15/60)	=	0.5	=	1
FI:	1	(x 15/60)	=	0.25	=	0
						<u>15</u>

ii) 9 Member

L:	29	(x 9/60)	=	4.35	=	4
C:	19	(x 9/60)	=	2.85	=	3
G:	9	(x 9/60)	=	1.35	=	2
I:	2	(x 9/60)	=	0.3	=	0
FI:	1	(x 9/60)	=	0.15	=	0
						<u>9</u>

iii) 7 Member (x2)

L:	29	(x 7/60)	=	3.3833	=	4
C:	19	(x 7/60)	=	2.2166	=	2
G:	9	(x 7/60)	=	1.05	=	1
I:	2	(x 7/60)	=	0.2333	=	0
FI:	1	(x 7/60)	=	0.1166	=	0
						<u>7</u>

5.3.2 Total seats to be allocated per Group

15 + 15 + 9 + 7 + 7 = 53 (:- 60) = 0.8833 seats per member

L:	29	x 0. 8833	=	25.6157	=	25
C:	19	x 0. 8833	=	16.7827	=	17
G:	9	x 0. 8833	=	7.9497	=	8
I:	2	x 0. 8833	=	1.7666	=	2
FI:	1	x 0. 8833	=	0.8833	=	1
						<u>53</u>

5.3.3 Adjustments required:

The Labour Group must pass a seat to Councillor Paul Woodruff.

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 4:3:2:0:0

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 4:3:2:0:0

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

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

*the Labour, Conservative and Green groups tie; all have the same residual.

Labour	29
Conservative	19
Green	9
Independent	2
Free Independent	1
TOTAL	60

As at 11 May 2015