

**Proportional Representation (PR):
Method of Calculation
13 January 2016**

Report of Chief Officer (Governance)

PURPOSE OF REPORT

To enable Council to consider the current method of calculating PR and to make amendments to the membership of committees which were not completed at the meeting on 16 December 2015.

This report is public

RECOMMENDATIONS

- (1) That Council considers the method of calculating PR for committees and panels, which is currently based on groupings of council as set out in Appendix A of the report considered by Council on 16 December 2015 (the report is attached for information).
- (2) That Council approves the following changes to Committees: that Councillor Sherlock be removed from the Budget and Performance Panel, that Councillor Cozler be removed from the Audit Committee and that Councillor Joan Jackson be appointed to the Chief Executive Recruitment Committee, in place of Councillor Gardiner, for the reasons set out in paragraph 3.0, below.

1.0 Introduction

- 1.1 The method by which Lancaster City Council calculates PR for its Committees and Panels has been in place since 2006 and was shown at Appendix A of the report which went to Council on 16 December 2015. That report is attached again for Members' information and also shows the current position regarding PR and the PR balance for Member bodies of up to 20 Councillors.

2.0 Proposal Details

- 2.1 The Mayor noted at the meeting on 16 December 2016 that the Leader of the Conservative Group had expressed a wish for Council to review the arrangements, and this report has been drafted to enable Members to consider the matter.
- 2.2 Councillor Williamson's suggestion is to calculate all the 7 member

committees (Audit, Personnel, Council Business, Appeals and Standards) as one group of 35 seats, as shown below:

35 seats :- 60 Councillors = 0.58

Labour	29 seats x 0.58 = 16.86	17
Conservative	19 seats x 0.58 = 11.02	11
Green	9 seats x 0.58 = 5.22	5
Independent	3 seats x 0.58 = 1.74	2
Free Independent	1 seat x 0.58 = 0.58	0
	Total	35

- 2.3 No change would be made to the Overview and Scrutiny grouping, leaving the Planning and Highways Regulatory, Licensing Act and Licensing Regulatory Committees to be calculated as one group of 39 seats:

39 seats :- 60 Councillors = 0.65

Labour	29 seats x 0.65 = 18.85	19
Conservative	19 seats x 0.65 = 12.35	12
Green	9 seats x 0.65 = 5.85	6
Independent	3 seats x 0.65 = 1.95	2
Free Independent	1 seat x 0.65	0
	Total	39

- 2.4 In comparison to the current calculation for these 74 places, the total number of seats for each political group would change as follows:

	Currently	Suggested Change
Labour	37	36
Conservative	23	23
Green	11	11
Independent	2	4
Free Inde	1	0
	<hr/> 74	<hr/> 74

The Free Independent Member of Council would lose his place on the Licensing Act Committee.

3.0 Adjustments following the December meeting

- 3.1 At the meeting on 16 December, using the current calculation, adjustments were required as a result of the Carnforth and Millhead Ward by-election, whereby the Labour group gave a place to the Conservative Group on two bodies. Councillor Sykes was appointed to the Budget and Performance Panel and Councillor Askew to the Audit Committee. However, the Labour Group was not asked which two Members it wished to remove from those bodies. The Labour Group Administrator has informed Democratic Services that Councillor Sherlock is to be removed from the Budget and Performance Panel and Councillor Cozler from the Audit Committee.

3.2 At the same meeting, Councillor Gardiner advised Council that he was not a member of the Chief Executive Recruitment Committee. The Conservative Group Administrator has informed Democratic Services that Councillor Joan Jackson is their nomination for the Conservative vacancy on that Committee.

4.0 Conclusion

4.1 Council is asked to consider the information in this report regarding the method of calculation of PR, and, if the method of calculation remains the same, to approve the adjustments in 3.1 and 3.2 above, which were omitted from the meeting in December. If Council is minded to change the method of calculation, either by adopting the suggestion in Paragraph 2, or some other suggestion, adjustments to appointments will need to be calculated and made at the meeting.

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)
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None as a result of this report.

LEGAL IMPLICATIONS

The rules regarding Political Balance are set out in Section 15 of the Local Government and Housing Act, 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations 1990.

FINANCIAL IMPLICATIONS

None as a direct result of this report.

OTHER RESOURCE IMPLICATIONS

Human Resources, Information Services, Property and Open Spaces: None.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS	Contact Officer: Debbie Chambers Telephone: 01524 582057 E-mail: dchambers@lancaster.gov.uk Ref:
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Allocation of Seats to Political Groups 16 December 2015

Report of Chief Executive

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 and the Council's agreed protocol, following the recent by-election in Carnforth and Millhead Ward.

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 Appendices B and C of the report.**
- (2) That the adjustments required to the Grouping of committees, detailed in paragraph 2.3 of the report, be approved.**

1.0 Introduction

- 1.1 As Members are aware, a by-election was held in the Carnforth and Millhead Ward on 26 November 2015 and a Conservative Member, Councillor George Askew, was elected. This causes a change to the number of Councillors and requires a report on the recalculation of the proportional representation arrangements to the first available Council meeting in accordance with the Local Government and Housing Act 1989.
- 1.2 Members are requested to approve the calculation in order to enable adjustments to be made to appointments to committees to reflect the revised make-up of the Council.

2.0 Adjustments Required to Committees

- 2.1 Following the by-election, the Council now has its full complement of 60 Members, with the PR balance exactly the same as it was following the elections in May 2015, as shown below:-

Labour	29
Conservatives	19
Green	9
Independent	2
Free Independent	1
	<u>60</u>

- 2.2 Since the composition of the Council has reverted to the position before the report put to the last meeting of Council, the changes to numbers on Committees made at the last Council meeting on 21 October need to be reversed.
- 2.3 On 21 October, the calculation based on 18 Conservative Members required the Conservative group to pass one seat on the Overview and Scrutiny grouping of Committees, and one seat on the Regulatory and Standing Committees of Council grouping, to the Labour Group. The Conservative group passed a seat on the Budget and Performance Panel and a seat on the Audit Committee to the Labour Group. Consequently, the Labour group now need to pass a seat on the Budget and Performance Panel and a seat on the Audit Committee back to the Conservative group.
- 2.4 It should be noted that there are no adjustments required to the Council's other standing committees and panels (Appeals, Council Business and Standards Committee and the Appraisal Panel) which are all seven Member bodies with no change to the PR calculation.
- 2.5 Council has established an ad hoc Committee to deal with the recruitment of a new Chief Executive. This is a PR Committee of 20 Members. The PR calculation for the Committee is still 10:6:3:1:0. No adjustments to membership are required.
- 2.6 Various appendices give full details of the calculations: **Appendix A** shows the methodology of Council's agreed calculation of PR; the revised calculations in relation to numbers from 1 to 20 are attached at **Appendix B**; **Appendix C** gives the grouping calculations used in this report, and **Appendix D** shows the current list of committee Members.

3.0 Conclusion

- 3.1 Members are requested to approve the calculations and the adjustments required as set out in paragraph 2.3 of this report, in order to enable the required changes to appointments to be made at this meeting.

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.

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.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

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METHOD OF CALCULATION

- 1 The following is provided as a reminder for Members of the method used to calculate proportional representation (PR) at Lancaster City Council:-
- 2 At its meeting on 11th May 2006 Council agreed the following protocol and groupings for the calculation of 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 Cabinet is no longer a PR Cabinet, and the composition of the Planning Committee has since reduced to 15 Members.*

Appendix B

PR CALCULATION

		Labour	Conservative	Green	Independent	Free Independent
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*	3*	1	0
19	=	9	6	3	1	0
20	=	10	6	3	1	0

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

As at 27 November 2015

COMMITTEE GROUPING CALCULATIONS

1 OVERVIEW AND SCRUTINY GROUPING

The PR Calculation for a single 9 Member Committee is 4:3:2:0:0 and the grouping of Overview & Scrutiny Committee and Budget & Performance Panel is as follows:-

$9 + 9 = 18 (-:- 60) = 0.3$ 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	=	<u>0</u>
				=	19 ¹

2 REGULATORY AND STANDING COMMITTEES OF COUNCIL GROUPING

The PR calculation for 15 Member Committees (Planning and Highways Regulatory and Licensing Act) is 7:5:2:1:0. The 9 Member Licensing Regulatory Committee is 4:3:2:0 and the 7 Member Committee calculation (for Personnel and Audit) is 4:2:1:0:0. The total seats to be allocated for the grouping comprising Planning and Highways Regulatory, Licensing Act, Licensing Regulatory, Personnel and Audit Committees is:-

$15 + 15 + 9 + 7 + 7 = 53 (-:- 60) = 0.8833$ seats per Member.

L	29	x 0.8833	=	25.6157	=	25
C	18	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

53

3 OTHER COMMITTEES/PANELS

Remaining Standing Committees currently constituted with a PR of 7 are the Appeals, Council Business and Standards Committees. The PR calculation for these is 4:2:1:0:0.

The Appraisal Panel is a member panel of seven members appointed on a PR basis, although not a formal Committee of Council. The PR calculation for

¹ Since only 18 places were available, the groups with the same residual (Labour, Conservative and Green) were tied for the last two places in May 2015 (minute 16). The Labour group withdrew from the draw to resolve the three way tie and Council noted that this would give the Labour Group four places, the Conservative Group three places and the Green Group one place on each body with two seats (one Green and one Independent) to be determined. The Green and Independent Groups agreed that the Green Group would take its final place on the Budget and Performance Panel and the Independent Group would take its place on the Overview and Scrutiny Committee.

the Panel is 4:2:1:0:0.

Council has established an ad hoc Committee to deal with the recruitment of a new Chief Executive. This is a PR Committee of 20 Members. The PR calculation for the Committee is 10:6:3:1:0.