

**Allocation of Seats to Political Groups
28 September 2016**

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 resignation of a Councillor.

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 Overview and Scrutiny Grouping of committees, detailed in paragraph 3 and Appendix C of the report, be approved.**

1.0 Introduction

- 1.1 Members will be aware that Labour Group Councillor David Smith resigned from the Council on 6 September 2016, to move back to Yorkshire. There is currently a vacant seat on the Council, causing a change to the number and political grouping of Members. This 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 make the necessary adjustments to the Overview and Scrutiny bodies, which reflect the revised make-up of the Council.

2.0 Political Composition of the Council

- 2.1 Following the resignation, the Council has 59 Members, with the PR balance as shown overleaf:-

Labour	29
Conservatives	18
Green	8
Independent	2
Free Independent	1
Non-aligned Independent	1
	<hr/>
	59
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2.2 Attached appendices give full details of the calculations: **Appendix A** shows the methodology of Council's agreed calculation of PR; the calculations in relation to numbers from 1 to 20 are attached at **Appendix B** and **Appendix C** gives the grouping calculations used in this report.

3.0 Adjustments

3.1 The only adjustments necessary are to the Overview and Scrutiny grouping. The regulatory and other standing committee grouping is unchanged by the new calculation.

3.2 Appendix C sets out the rationale for the adjustments necessary as a result of the calculation. In short, these are:

- The Green Group should pass a seat on the Budget and Performance Panel to the Conservative Group
- The Labour Group should have four members on the Overview and Scrutiny Committee instead of five; and five members on the Budget and Performance Panel instead of four
- The Conservative group should have three members on each of the Overview and Scrutiny Committee and Budget and Performance Panel.

4.0 Conclusion

4.1 Members are requested to approve the calculations to enable the necessary adjustments set out in 3.2 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 drafted this report in her role as Democratic Services Manager.

BACKGROUND PAPERS

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Appendix A

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 (Cllr Woodruff)	Non-aligned Independent (Cllr Scott)
1	=	1	-	-	-	-	-
2	=	1	1	-	-	-	-
3	=	2	1	-	-	-	-
4	=	2	1	1	-	-	-
5	=	2	2	1	-	-	-
6	=	3	2	1	-	-	-
7	=	4	2	1	-	-	-
8	=	4	3	1	-	-	-
9	=	5	3	1	-	-	-
10	=	5	3	2	-	-	-
11	=	6	3	2	-	-	-
12	=	6	4	2	-	-	-
13	=	7	4	2	-	-	-
14	=	7	4	2	1	-	-
15	=	7	5	2	1	-	-
16	=	8	5	2	1	-	-
17	=	9	5	2	1	-	-
18	=	9	6	2	1	-	-
19	=	9	6	3	1	-	-
20	=	10	6	3	1	-	-

Labour	29
Conservative	18
Green	8
Independent	2
Free Independent	1
Non-aligned Independent	1
 TOTAL	 59

As at 7 September 2016

COMMITTEE GROUPING CALCULATIONS

1 OVERVIEW AND SCRUTINY GROUPING

The PR Calculation for a single 9 Member Committee is 5:3:1:0:0:0 and the grouping of Overview & Scrutiny Committee and Budget & Performance Panel is as follows:-

$9 + 9 = 18$ (-: - 59) = 0.3050 seats per Member.

L	29 x 0.3050	=	8.845	=	9
C	18 x 0.3050	=	5.49	=	5
G	8 x 0.3050	=	2.44	=	2
I	2 x 0.3050	=	0.61	=	1
FI	1 x 0.3050	=	0.305	=	0
NAI	1 x 0.3050	=	0.305	=	0

Using the PR calculation for two single 9 Member Committees, the Labour Group would have had 10 seats overall. The grouping gives the Labour Group 9 seats overall so the Labour Group “give up” one seat as a result of the grouping. This was also the position at the Annual Council meeting in May 2016 and the Labour Group chose to give up a seat on the Budget and Performance Panel. At that meeting in May 2016, there was a tie for the place on the Budget and Performance Panel between the Conservative and the Green groups because both had the same residual of .4. The final seat was allocated by drawing lots under the supervision of the Mayor and the Green Group won the seat. However, the two groups no longer have the same residual – as shown on the calculation above – therefore **the seat on the Budget and Performance Panel given to the Green Group now needs to be passed to the Conservative Group** who have a larger residual than the Green Group.

The Conservative Group would have had 6 seats overall using the PR calculation for two single 9 Member Committees. However, the grouping gives the Conservative Group 5 seats overall and, in May 2016 those were taken as two on the Overview and Scrutiny Committee and three on the Budget and Performance Panel. Since the Conservative Group will now receive a place from the Green Group on the Budget and Performance Panel (see explanation in the paragraph above) the Conservative Group will have four members on the Budget and Performance Panel and two members on the Overview and Scrutiny Panel. Since that would create an imbalance of PR on each Committee, **the Labour Group is asked to reduce its membership of the Overview and Scrutiny Committee by one member and to increase its membership of the Budget and Performance Panel by one member and the Conservative Group is asked to take up three places on each of the Overview and Scrutiny bodies**, to achieve a PR balance on each committee.

In May 2016, the Independent Group received one seat on the Overview and Scrutiny grouping and, by arrangement with the other Groups, a place was given on the Overview and Scrutiny Committee (to Councillor Ashworth). This is unchanged by the new calculation.

2 REGULATORY AND STANDING COMMITTEES OF COUNCIL GROUPING

The PR calculation for 15 Member Committees (Planning and Highways Regulatory and Licensing Act) is 7:5:2:1:0:0. The 9 Member Licensing Regulatory Committee is

5:3:1:0:0:0 and the 7 Member Committee calculation (for Personnel and Audit) is 4:2:1:0:0:0. 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 (-:- 59) = 0.8983 seats per Member.					
L	29	x 0.8983	=	26.0507	= 26
C	18	x 0.8983	=	16.1694	= 16
G	8	x 0.8983	=	7.1864	= 7
I	2	x 0.8983	=	1.7966	= 2
FI	1	x 0.8983	=	0.8983	= 1
NAI	1	x 0.8983	=	0.8983	= 1
					<u>53</u>

PR for this group of committees, if calculated on the basis of single committees, would give the Labour Group 27 Members and the Conservative Group 17 Members. However, when grouped, the Labour Group receive 26 seats and the Conservative Group receive 16 seats, requiring the Labour Group and the Conservative Group to “give up” one seat each in this grouping. This was the case at the Annual Council meeting in May 2016 when Councillor Woodruff and Councillor Scott received one seat each on the Licensing Act Committee and the Audit Committee respectively as a result. This grouping remains unchanged.

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 unchanged at 4:2:1:0:0:0.

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