

## Allocation of Seats to Political Groups 29 January 2020

### Report of Chief Executive

#### PURPOSE OF REPORT

To advise Council of the calculations relating to the allocation of seats, following a change to political groupings, in accordance with the Local Government and Housing Act 1989.

This report is public

#### RECOMMENDATIONS

- (1) That the change in political composition be noted and the new calculation be approved.
- (2) That the MBI group pass a committee seat to the Labour group, as set out in paragraph 5 of this report.

#### 1.0 Introduction

- 1.1 Members will be aware that Councillor Cleet recently resigned from the MBI group of the City Council. He is now an Independent Councillor, unaligned to any political group.

#### 2.0 New composition of the Council

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

Labour	20
Morecambe Bay Independents	13
Conservatives	12
Green	10
Liberal Democrats	3
Non-aligned Independent	2
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	60

#### 3.0 Method of Calculation

- 3.1 At its meeting on 10 April 2019 Council unanimously agreed a local calculation for political balance on the Council's Committees (not including Overview and Scrutiny). However, at the annual council meeting on 20<sup>th</sup> May, the decision to use the local calculation was rescinded and the calculation of the 78 committee places on all standing committees was undertaken using rules A-E, set out in s. 15(5) of the Local

Government and Housing Act 1989. Those rules, explained in **Appendix A**, have been used to make the re-calculation for this report.

#### **4.0 Calculation (See Appendix B)**

4.1 The impact of the change is that the MBI group, which had 19 of the 78 committee seats at the last calculation in July 2019, now receives 18 seats. The Labour group gain one seat from the MBI group.

#### **5.0 Adjustment**

5.1 The MBI group is required to give one committee seat to the Labour Group.

5.2 For information, the MBI seat formerly held by Councillor Cleet which was required to step down from was on the Council Business Committee.

#### **6.0 Conclusion**

6.1 Members are requested to agree the new calculation and make the necessary adjustments.

#### **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.

#### **MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no comments.

#### **BACKGROUND PAPERS**

Affiliation to Political Groups file.

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## **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

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.”*

## Appendix B

The calculation was last undertaken in July 2019, when Councillor Clifford resigned from the Labour group and became a non-aligned independent.

The revised calculation below shows the changes that will be required across all 78 committee seats based upon the revised political balance following Councillor Cleet's resignation from the MBI Group. It is deemed that Councillor Cleet is a non-political independent and as such is excluded from the political balance calculation. This means that the calculations shown below are based on a pro rata share of 78 seats across 58 councillors using roundings.

	July 19	Jan 20	July 19	Jan 20	Change
Labour	20/59	20/58	26	27	1
Morecambe Bay Independents	14/59	13/58	19	18	-1
Conservatives	12/59	12/58	16	16	0
Green	10/59	10/58	13	13	0
Liberal Democrats	3/59	3/58	4	4	0
			78	78	