

**Allocation of Seats to Political Groups  
18 May 2020  
Report of the Democratic Services Manager**

**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 to allow Council to appoint to Committees as required at the annual meeting, as set out in Part 3, Section 1, Paragraph 1 (h) of the Constitution.

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 this report, including the adjustments set out in paragraph 5.**

**1.0 Introduction**

- 1.1 A calculation of political composition is undertaken at each annual council meeting to determine the political balance on the council's committees. Re-calculations are made as and when the political make-up of the council changes.
- 1.2 The last calculation was undertaken in January 2020. Since then, Councillors Anderson, Cleet, Clifford, Evans and Jenkins have formed a new group on the City Council. The group name is not yet known and is referred to as "new group" on the calculation.

**2.0 Composition of the Council**

- 2.1 The make-up of the Council is:

Labour	20
Conservatives	12
Morecambe Bay Independents	10
Green	10
Liberal Democrats	3
New Group	5
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	60

### 3.0 Seats Across Committees

3.1 Calculating each committee separately and individually, as shown in 3.2 below, would give an overall total out of the 78 seats of:-

Labour	24
Conservative	19
Green	12.5
MBI	12.5
New Group	9
Liberal Dems	1

#### 3.2 15 Member Committee (Planning Regulatory)

Lab	4.9999	(5)
Cons	3.0	(3)
Green	2.4999	<b>(2.5)</b>
MBI	2.4999	<b>(2.5)</b>
New Group	1.2499	(1)
LibDem	0.75	(1)

***There is a tie for the 15<sup>th</sup> place on Planning Regulatory Committee between the MBI and Green groups.***

#### 10 Member Committee (Licensing Regulatory)

Lab	3.3333	(3)
Cons	2.0	(2)
Green	1.6666	(2)
MBI	1.6666	(2)
New Group	0.8333	(1)
LibDem	0.5	(0)

***LibDem group rounded down, as the group with the smallest residual, to make 10 seats.***

#### 9 Member Committees x 2 (Overview and Scrutiny, Budget and Performance)

Lab	2.9999	(3)
Cons	1.8	(2)
Green	1.4999	<b>(1.5)</b>
MBI	1.4999	<b>(1.5)</b>
New Group	0.7499	(1)
LibDem	0.45	(0)

***There is a tie for the 9<sup>th</sup> place on each 9 Member body, between the MBI and Green groups.***

#### 7 Member Committees x 5 (Personnel, Audit, CBC, Appeals, Standards)

Lab	2.3333	(2)
Cons	1.4	(2)
Green	1.1666	(1)
MBI	1.1666	(1)
New Group	0.5833	(1)
LibDem	0.35	(0)

***Conservative group rounded up, as the group with the largest residual, to make 7 seats.***

3.3 However, the calculation of the 78 committee places on all standing committees **must** be undertaken using rules A-E, set out in s. 15(5) of the Local Government and Housing Act 1989. Those rules are explained in **Appendix A** and the aggregate calculation is show below.

#### 4.0 Aggregate Calculation (RULE C)

Political Group	Number in each group/total number of Cllrs in political groups (56) X total number of committee seats (78)	Actual	Rounded
Labour	20/60x78	25.9999	<b>26</b>
Conservatives	12/60x78	15.6	<b>16</b>
Green	10/60x78	12.9999	<b>13</b>
MBI	10/60x78	12.9999	<b>13</b>
New Group	5/60x78	6.4999	<b>6</b>
Liberal Democrats	3/56x78	3.9	<b>4</b>
			(78)

#### 5.0 Adjustments to Committee Seats

5.1 Bearing in mind the aggregate calculation in paragraph 4 above, the committee seats shown at 3.1 need to be adjusted. This is further complicated because the Green and MBI groups tie for the final seat on three bodies – Planning Regulatory Committee; Overview and Scrutiny Committee and Budget and Performance Panel. One way to tackle this would be if the Green and MBI groups could decide between them who has those final seats on each of the three bodies (one for one group and two for another). Then the group with one seat would take a seat passed across from the Conservative or New group (see below). This would satisfy the calculation and provide both the Green and MBI groups two seats each from the tiebreaks.

5.2 The Conservative group must pass across 3 seats on different committees. The New group must pass across 3 seats on different committees. Of those six seats, one must pass to the Green and MBI group (see above for potential solution to this). Three seats will pass across to the Liberal Democrat group and two seats will pass to the Labour group. It is up to the Conservative and New groups which seats they pass, and it would be helpful if groups could discuss this, come to an agreement and inform the Democratic Services Manager prior to the meeting.

#### 6.0 Chief Executive Recruitment Committee

6.1 Whilst it is not a standing committee of Council to be included in the calculation, for information purposes, Council may wish to note that the Chief Executive Recruitment Committee comprises 9 Members on political balance. That balance will be 3 Labour, 2 Conservative, 1 New Group and with 1.5 Members apiece, there is a tie for the final place between the Green and MBI group.

#### 7.0 Conclusion

7.1 Members are requested to agree the new calculation so that appointments can be made to Committees.

**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.

**Contact Officer:** Debbie Chambers

**Telephone:** 01524 582057

**E-mail:** dchambers@lancaster.gov.uk

## **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 C

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.”*