

Allocation of Seats to Political Groups
29 July 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 following a change to the political composition of the Council.

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 adjustment 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. This was done at the Council's meeting on 18 May 2020 on the full council number of 60 Councillors. It is a requirement that re-calculations are made as and when the political make-up of the Council changes.
- 1.2 As Members are aware, Councillor Jake Goodwin recently resigned from the MBI group and is now an Independent Councillor with no alignment to any political group. This affects the political balance on the Council. The sad passing of Councillor Michael Mumford at the end of June 2020 has also affected political balance. The Council has a vacant seat for Nether Kellet ward which will remain vacant for some months. If a by-election is called, the earliest this can be held – due to COVID-19 – is May 2021. This report therefore recalculates political balance on the current composition of 59 Councillors, 58 of whom are aligned to a political grouping.

2.0 Composition of the Council

- 2.1 The make-up of the Council is:

Labour	20
Conservatives	12
Green	10
Morecambe Bay Independents (MBI)	9

Independent Group	5
Liberal Democrats	2
Non-aligned	1
	<hr/> 59

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	14
MBI	11
Independent Group	9
Liberal Democrats	1

3.2 15 Member Committee (Planning Regulatory)

Labour	5.1724	(5)
Conservative	3.1034	(3)
Green	2.5862	(3)
MBI	2.3275	(2)
Independent Group	1.2931	(1)
Liberal Democrats	0.5172	(1)

10 Member Committee (Licensing Regulatory)

Labour	3.4482	(3)
Conservative	2.0689	(2)
Green	1.7241	(2)
MBI	1.5517	(2)
Independent Group	0.8620	(1)
Liberal Democrats	0.3448	(0)

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

Labour	3.1034	(3)
Conservative	1.8620	(2)
Green	1.5517	(2)
MBI	1.3965	(1)
Independent Group	0.7758	(1)
Liberal Democrats	0.3103	(0)

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

Labour	2.4137	(2)
Conservative	1.4482	(2)
Green	1.2068	(1)
MBI	1.0862	(1)
Independent Group	0.6034	(1)
Liberal Democrats	0.2413	(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	20/58x78	26.8965	27
Conservatives	12/58x78	16.1379	16
Green	10/58x78	13.4482	13
MBI	9/58x78	12.1034	12
Independent Group	5/58x78	6.7241	7
Liberal Democrats	2/58x78	2.6896	3
			(78)

5.0 Adjustment 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. The MBI and Liberal Democrats and must pass one seat each of their choice to the Labour Group and the Independent Group. The change is explained further in **Appendix B**.

6.0 Chief Executive Recruitment Committee

- 6.1 Whilst it is not a standing committee of Council to be included in the calculation, the Chief Executive Recruitment Committee comprises 9 Members appointed on political balance. The membership of that Committee is unchanged by the new calculation.

7.0 Conclusion

- 7.1 Members are requested to agree the new calculation so that the appropriate adjustment can be made following a change to the political composition of the Council.

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."

Appendix B

The calculation was last undertaken in May 2020, when the new Independent Group of five Councillors was formed.

The revised calculation below shows the changes that will be required across all 78 committee seats based upon the revised political balance following the reduction in the size of the MBI group to 9 members and the Liberal Democrats Group to 2 Members.

The calculations shown below are based on a pro rata share of 78 seats across 59 councillors using roundings.

	May 2020	July 2020	May 2020	July 2020	Change
Labour	20/60	20/58	26	27	+1
Conservatives	12/60	12/58	16	16	0
Green	10/60	10/58	13	13	0
Morecambe Bay Independents	10/60	9/58	13	12	-1
Independent Group	5/60	5/58	6	7	+1
Liberal Democrats	3/60	2/58	4	3	-1
			78	78	