

Allocation of Seats to Political Groups 15 December 2021 Report of the Head of Democratic Services

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 adjustments set out in the table in 2.2 and paragraph 4.1.**

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 meeting on 17 May 2021 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 By-elections were held in late November and early December for four vacant seats and the result of those by-elections is shown below for each ward.

University and Scotforth Rural – Councillor Fabiha Askari, Labour

Carnforth and Millhead – Councillor Luke Taylor, Labour

Upper Lune Valley – Councillor Ross Horner, Liberal Democrat

Bare – Councillor Gerry Blaikie, Liberal Democrat.

In addition to these changes, Councillor Jake Goodwin resigned from the Independent Group in June 2021 and that recalculation was left until the by-elections had been held. This report therefore recalculates political balance on the current composition of 59 Councillors who are now aligned to a political grouping. One City Councillor is a non-aligned independent and is not included in the calculation

2.0 Change in Composition of the Council

2.1 The make-up of the Council is now:

Labour	16
Conservatives	11
Green	10
Morecambe Bay Independents (MBI)	9
Independent Group	5
Eco-Socialist Independents	4
Liberal Democrats	4
Non-aligned Independent	1
	60

- 2.2 The calculation was last undertaken on 17 May 2021. The table below shows the changes required across all 78 committee seats based upon the revised political composition of the Council.

	May 2021	December 2021	Change
Labour	18	21.1525 = 21	+3
Conservatives	17	14.5424 = 15	-2
Green	13	13.2203 = 13	
MBI	12	11.8983 = 12	
Independent Group	9	6.6102 = 7	-2
Eco-Socialist Inde	6	5.2881 = 5	-1
Liberal Democrats	3	5.2881 = 5	+2
	(78)	(78)	

- 2.3 The figures for May 2021 were based upon a pro rata share of 78 seats across 60 Councillors using roundings. The figures for December are based on a pro rata share of 78 seats across 59 councillors using roundings (there is one non-aligned Councillor not included in the groups calculation).

3.0 Political Balance on Committees

- 3.1 If political balance was calculated separately on each committee the figure would be as set out below for each size of committee:-

3.2 15 Member Committee (Planning Regulatory)

Labour	4.0678	(4)
Conservative	2.7966	(3)
Green	2.5424	(3)
MBI	2.2881	(2)
Independent Group	1.2712	(1)
Eco-Socialist Independents	1.0169	(1)
Liberal Democrats	1.0169	(1)

10 Member Committee (Licensing)

Labour	2.7119	(3)
Conservative	1.8644	(2)
Green	1.6949	(2)
MBI	1.5254	(1) Rounded down, lowest residual
Independent Group	0.8475	(1)
Eco-Socialist Independents	0.6780	(.5)
Liberal Democrats	0.6780	(.5)

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

Labour	2.4407	(2)
Conservative	1.6780	(2)
Green	1.5254	(1) Rounded down, lowest residual
MBI	1.3729	(1)
Independent Group	0.7627	(1)
Eco-Socialist Independents	0.6102	(1)
Liberal Democrats	0.6102	(1)

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

Labour	1.8983	(2)
Conservative	1.3051	(1)
Green	1.1864	(1)
MBI	1.0678	(1)
Independent Group	0.5932	(1)
Eco-Socialist Independents	0.4746	(.5)
Liberal Democrats	0.4746	(.5)

3.3 Using these calculations would give an overall total out of the 78 seats of:-

Labour	21
Conservative	14
Green	12
MBI	10
Independent Group	9
Eco-Socialist Independents	6
Liberal Democrats	6
	<u>78</u>

3.4 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 as shown on the table at 2.2 under the column “Dec 2021”. The necessary adjustments are shown in the highlighted right-hand column of that same table.

4.0 Chief Executive Recruitment Committee

4.1 The Chief Executive Recruitment Committee is a nine-member body, calculated on political balance.

Labour	2.4407	(2)
Conservative	1.6780	(2)
Green	1.5254	(1) Rounded down, lowest residual
MBI	1.3729	(1)
Independent Group	0.7627	(1)
Eco-Socialist Independents	0.6102	(1)
Liberal Democrats	0.6102	(1)

Currently the Committee comprises 2 Labour, 2 Conservative, 2 Green, 1 MBI, 1 Independent Group, 1 Eco-Socialist and no Liberal Democrats. This needs to be adjusted to give one seat to a Liberal Democrat and this seat should come from the Green group.

5.0 Conclusion

5.1 Members are requested to agree the new calculation so that the appropriate adjustments 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

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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 reinforce 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.”