

## **Allocation of Seats to Political Groups 23 February 2022**

### **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 adjustment set out in the table in 2.2 and paragraph 2.3.**

#### **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. A recalculation was approved at the December 2021 Council meeting following by-elections held in late November and early December last year. It is a requirement that re-calculations are made as and when the political make-up of the Council changes.
- 1.2 On 26 January 2022, Councillor Goodwin rejoined the Morecambe Bay Independents group, ceasing to be non-aligned. A recalculation is therefore necessary.

#### **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)	10
Independent Group	5
Eco-Socialist Independents	4
Liberal Democrats	4
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	60

- 2.2 As stated above, the calculation was last undertaken on 15 December 2021. The table below shows the changes required across all 78 committee seats based upon the revised political composition of the Council.

	<b>December 2021</b>	<b>February 2022</b>	<b>Change</b>
<b>Labour</b>	21	20.8000	-
<b>Conservatives</b>	15	14.3000	-1
<b>Green</b>	13	13.0000	-
<b>MBI</b>	12	13.0000	+1
<b>Independent Group</b>	7	6.5000	-
<b>Eco-Socialist Inde</b>	5	5.2000	-
<b>Liberal Democrats</b>	5	5.2000	-
	<b>(78)</b>	<b>(78)</b>	

2.3 The figures for December were based on a pro rata share of 78 seats across 59 councillors using roundings (at that time Councillor Goodwin was a non-aligned Councillor not included in the grouping calculation). Now that the MBI group has increased, that group gains one seat overall (from the Conservative group). The Conservative group has indicated that it will pass across Councillor Gardiner's seat on the Appeals Committee.

### 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	4.0000	(4)
Conservative	2.7500	(3)
Green	2.5000	(2.5)
MBI	2.5000	(2.5)
Independent Group	1.2500	(1)
Eco-Socialist Independents	1.0000	(1)
Liberal Democrats	1.0000	(1)

#### 10 Member Committee (Licensing)

Labour	2.6667	(2.6) (joint lowest residual)*
Conservative	1.8333	(2)
Green	1.6667	(1.6) (joint lowest residual)*
MBI	1.6667	(1.6) (joint lowest residual)*
Independent Group	0.8333	(1)
Eco-Socialist Independents	0.6667	(0.6) (joint lowest residual)*
Liberal Democrats	0.6667	(0.6) (joint lowest residual)*

\*For this committee there would be a five-way tie.

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

Labour	2.4000	(2)
Conservative	1.6500	(2)
Green	1.5000	(1) (lowest residual, rounded down)
MBI	1.5000	(1) (lowest residual, rounded down)
Independent Group	0.7500	(1)

Eco-Socialist Independents	0.6000	(1)
Liberal Democrats	0.6000	(1)

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

Labour	1.8667	(2)
Conservative	1.2833	(1)
Green	1.1667	(1)
MBI	1.1667	(1)
Independent Group	0.5833	(1)
Eco-Socialist Independents	0.4667	(0.5)
Liberal Democrats	0.4667	(0.5)

- 3.3 Based on these calculations, which use roundings on each committee where possible, this would give an overall total out of the 78 seats of:-

Labour	20.6
Conservative	14
Green	11.1
MBI	11.1
Independent Group	9
Eco-Socialist Independents	6.1
Liberal Democrats	6.1
	<u>78.00</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 "February 2022". The necessary adjustment is 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 separately, on political balance. When the figures are rounded up, it would result in 11 places, therefore the groups with the lowest residual have been rounded down to give 9 places as shown below:

Labour	2.4000	(2)
Conservative	1.6500	(2)
Green	1.5000	(1) (lowest residual, rounded down)
MBI	1.5000	(1) (lowest residual, rounded down)
Independent Group	0.7500	(1)
Eco-Socialist Independents	0.6000	(1)
Liberal Democrats	0.6000	(1)

Currently the Committee comprises 2 Labour, 2 Conservative, 1 Green, 1 MBI, 1 Independent Group, 1 Eco-Socialist and 1 Liberal Democrat and this will remain unchanged.

#### 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."*