

Allocation of Seats to Political Groups 21st May 2007

Report of Chief Executive

PURPOSE OF REPORT

To advise Council of the calculations relating to the allocation of seats following the City Council Elections on 3rd May 2007, in accordance with the Local Government and Housing Act 1989 and the Council's agreed protocol.

This report is public

RECOMMENDATIONS

- (1) That consideration be given to the confirmation of the constitution of the following Committees which are not required to be subject to the political balance requirements of the Local Government and Housing Act 1989:**
 - **Standards Committee**
 - **Licensing Act Committee**

- (2) That in undertaking the PR calculations on the Council's Cabinet and Committees the Council's agreed protocol be confirmed, utilising the following groupings:**
 - **Cabinet (if PR agreed) (1 x 10)**
 - **Overview and Scrutiny (2 x 9)**
 - **Regulatory and timetabled Committees of Council (1 x 20 (Planning), 1 x 15 (Licensing Act)(subject to decision in (1) above) and 3 x 7 (Personnel, Audit and Licensing Regulatory)**
 - **Remaining Standing and Joint Committees to be calculated separately and individually.**

- (3) That pursuant to Section 15 of the Local Government and Housing Act, 1989, the City Council allocates the seats on Overview & Scrutiny, Regulatory, Standing and Joint Committees in accordance with the calculations set out in paragraph 5 of the report.**

- (4) That should Council establish a Cabinet on a PR basis the seats be allocated as set out in paragraph 5.2 of the report.**

- (5) That Council notes that the allocation of seats referred to in (3) and (4) above is subject to review from time to time 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.

1.0 Introduction

- 1.1 In accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, it is open to the Council to devise a scheme for ensuring political balance on the different bodies of the Council.
- 1.2 In effect this means that there is a choice between undertaking the PR calculation separately for each Committee or combining the numbers on 2 or more Committees in the calculation to ensure a political balance across a group of Committees.

2.0 Background

- 2.1 At its meeting on 11th May 2006 Council agreed the following protocol and groupings for the calculation of proportional representation (PR) on the Council's Cabinet, Overview & Scrutiny and Committees:
- (i) the calculation be undertaken using 4 decimal places;
 - (ii) the allocation of a final seat to a Group with the same residual be to the largest under-represented Group provided that this does not result in the largest over-representation; and
 - (iii) In the event that the foregoing rules do not resolve the situation, either because of a tie, or because the allocation would result in the largest over-representation, the seat be allocated by drawing lots under the supervision of the Mayor.
 - (iv) the calculation should be undertaken in relation to the following groupings:
 - Cabinet (if PR agreed) (1 x 10)
 - Overview and Scrutiny (2 x 9)
 - Regulatory and other timetabled Committees (1 x 20(Planning), 1 x 15 (Licensing Act) and 3 x 7(Personnel, Audit and Licensing Regulatory))
 - Remaining Standing and Joint Committees to be calculated separately and individually.

3.0 Licensing Act Committee

- 3.1 The City Council has established a Licensing Act Committee of 15 members under the Licensing Act 2003. Having been established under the Licensing Act rather than the Local Government Act 1972 this Committee is not required to be subject to the political balance regulations. However this Council has previously agreed that the Licensing Act Committee should be established on a PR basis and included in the Grouping calculations.
- 3.2 Council is therefore requested to confirm the continuation of this arrangement following the Elections or to re-establish the Committee in some other form. It should be noted that the Sub-committees which undertake the Licensing Act Hearings comprise 3 Members of the Licensing Act and are not subject to PR restrictions.

4.0 Standards Committee

4.1 Standards Committees are established under the Local Government Act 2000 and are also not subject to the political balance regulations. This is to allow Standards Committees to be seen as above party politics and comprised of representatives that command the support of the whole authority regardless of political loyalties. The Standards Board for England believes that Standards Committees should be constituted to ensure that no one political group dominates.

4.2 In an Authority such as the City Council at the present time where there is no overall control however the use of PR ensures that this is the case. It is however for the Council to decide following the Elections whether it wishes to confirm the current establishment on a PR basis, but as a stand alone committee, not included in the Grouping arrangements.

5.0 Calculations

5.1 Compilation of the Council

Independents	16
Labour	14
Conservatives	12
Greens	12
Liberal Democrats	5
Non-aligned Independent	<u>1</u>
	60

5.2 Cabinet (if PR Basis) - 10 Members

I:	16	(x 10/60)	=	2.6666	=	3
L:	14	(x 10/60)	=	2.3333	=	2
C:	12	(x 10/60)	=	2	=	2
G:	12	(x 10/60)	=	2	=	2
LD:	5	(x 10/60)	=	0.8333	=	1
FI:	1	(x 10/60)	=	0.1666	=	<u>0</u>
						10

5.3 Overview & Scrutiny

5.3.1 The PR Calculation for a single 9 Member Committee is as follows:

I:	16	(x 9/60)	=	2.4	=	2
L:	14	(x 9/60)	=	2.1	=	2
C:	12	(x 9/60)	=	1.8	=	2
G:	12	(x 9/60)	=	1.8	=	2
LD:	5	(x 9/60)	=	0.75	=	1
FI:	1	(x 9/60)	=	0.15	=	<u>0</u>
						9

5.3.2 Total number of seats allocated per group:

2 x 9 Members = 18 (:- 60) = 0.3 seats per Member

I:	16	x 0.3	=	4.8	=	5
L:	14	x 0.3	=	4.2	=	4
C:	12	x 0.3	=	3.6	=	4
G:	12	x 0.3	=	3.6	=	4
LD:	5	x 0.3	=	1.5	=	1
FI:	1	x 0.3	=	0.3	=	<u>0</u>
						18

5.3.3 Adjustments required:

Liberal Democrats owe 1 seat on either the Overview & Scrutiny Committee or the Budget and Performance Panel to the Independent Group

5.4 Regulatory and Standing Committees of Council Grouping

5.4.1 The PR Calculation for individual 20 Member (Planning & Highways Regulatory), 15 Member (Licensing Act) and 7 Member (Licensing Regulatory, Personnel and Audit) Committees is as follows:

i) 20 Member

I:	16	(x 20/60)	=	5.3333	=	5
L:	14	(x 20/60)	=	4.6666	=	5
C:	12	(x 20/60)	=	4	=	4
G:	12	(x 20/60)	=	4	=	4
LD:	5	(x 20/60)	=	1.6666	=	2
FI:	1	(x 20/60)	=	0.3333	=	<u>0</u>
						20

i) 15 Member

I:	16	(x 15/60)	=	4	=	4
L:	14	(x 15/60)	=	3.2666	=	4
C:	12	(x 15/60)	=	3	=	3
G:	12	(x 15/60)	=	3	=	3
LD:	5	(x 15/60)	=	1.25	=	1
FI:	1	(x 15/60)	=	0.25	=	<u>0</u>
						15

iii) 7 Member (x 3)

I:	16	(x 7/60)	=	1.8666	=	2
L:	14	(x 7/60)	=	1.6333	=	2
C:	12	(x 7/60)	=	1.4	=	1
G:	12	(x 7/60)	=	1.4	=	1
LD:	5	(x 7/60)	=	0.5833	=	1
FI:	1	(x 7/60)	=	0.1166	=	<u>0</u>
						7

5.4.3 Total seats to be allocated per Group

$20 + 15 + 7 + 7 + 7 = 56$ (-: - 60) = 0.93333 seats per member

I:	16	x 0.9333	=	14.9328	=	15
L:	14	x 0.9333	=	13.0662	=	13
C:	12	x 0.9333	=	11.1996	=	11
G:	12	x 0.9333	=	11.1996	=	11
LD:	5	x 0.9333	=	4.6665	=	5
FI:	1	x 0.9333	=	0.9333	=	<u>1</u>
						56

5.4.4 Adjustments required:

Labour lose 2 seats
Liberal democrat lose 1 seat
Conservatives gain 1 seat
Green gain 1 seat
Non aligned independent gains 1 seat

5.5 Other Standing Committees

5.5.1 Remaining Standing Committees currently constituted with a PR of 7 are the Appeals, Appraisal, Council Business and Standards Committees. The PR calculation for these is 2:2:1:1:1.

5.5.2 The Local Governance Committee is a time limited Committee established with a membership of 9. The PR for this remains is 2:2:2:2:1.

5.7 Joint Committees

5.5.1 Council has established the Lancashire Locals – Lancaster District Joint Committee jointly with the County Council on a PR of 10. The calculation is as follows:

I:	16	(x 10/60)	=	2.6666	=	3
L:	14	(x 10/60)	=	2.3333	=	2
C:	12	(x 10/60)	=	2	=	2
G:	12	(x 10/60)	=	2	=	2
LD:	5	(x 10/60)	=	0.8333	=	1
FI:	1	(x 10/60)	=	0.1666	=	<u>0</u>
						10

6.0 Conclusion

6.1 Members are requested to approve the calculations, in order to enable appointments to be made to Cabinet (subject to approval as PR), Overview & Scrutiny and Committees of Council as set out in the remainder of the Agenda.

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 further 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 further comments.

BACKGROUND PAPERS

Proportional Representation calculation file.
Affiliation to Political Groups file.

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P.R. LIST

		Indep.	Labour	Cons	Green	Lib Dems
1	=	1	0	0	0	0
2	=	1	1	0	0	0
3	=	1	1	0*	1*	0
4	=	1	1	1	1	0
5	=	1	1	1	1	1
6	=	2	1	1	1	1
7	=	2	2	1	1	1
8	=	2	2	2*	1*	1
9	=	2	2	2	2	1
10	=	3	2	2	2	1
11	=	3	3	2	2	1
12	=	3	3	3*	2*	1
13	=	3	3	3	3	1
14	=	4	3	3	3	1
15	=	4	4	3	3	1
16	=	4	4	3	3	2
17	=	5	4	3	3	2
18	=	5	4	4	4	1
19	=	5	4	4	4	2
20	=	5	5	4	4	2

* allocation of place determined by lot drawn under the supervision of the Mayor

Independent	16
Labour	14
Conservative	12
Green	12
Liberal Democrats	5
Non-aligned Free Independent	1
TOTAL	60

As at 7.05.07