



Allocation of Seats to Political Groups

25 September 2024

Report of the Senior Manager, Democratic Support and Elections

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 3.4 of the report.

1.0 Introduction.

- 1.1 There has been a change since the calculation was agreed at the last Council meeting on 24 July 2024, as a result of Councillor Phil Bradley leaving the Labour group and becoming a non-aligned Independent Councillor.
- 1.2 It should be noted that there is currently a vacancy, following the resignation of Labour Councillor Sophie Maddocks, until a by-election is held on 3 October. Following that by-election, a new calculation will be submitted to the November Council meeting.

2.0 Change in Composition of the Council

- 2.1 The make-up of the Council is now:

Green	22
Labour	21
Liberal Democrats	7
Conservative	5
MBIs	3
Non-aligned Independent	2
Vacant	1
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- 2.2 The table below shows the changes required across all 78 committee seats based upon the revised political composition of the Council.

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)

Green	$22/58 \times 15 = 5.6897$	(6)
Labour	$21/58 \times 15 = 5.4310$	(5)
Liberal Democrat	$7/58 \times 15 = 1.8103$	(2)
Conservative	$5/58 \times 15 = 1.2931$	(1)
MBI	$3/58 \times 15 = 0.7759$	(1)
	Total	(15)

10 Member Committee (Licensing Regulatory)*

Green	$22/58 \times 10 = 3.7931$	(4)
Labour	$21/58 \times 10 = 3.6207$	(4)
Liberal Democrat	$7/58 \times 10 = 1.2069$	(1)
Conservative	$5/58 \times 10 = 0.8621$	(1)
MBI	$3/58 \times 10 = 0.5172$	(0)
	Total	(10)

*Figures rounded up total eleven; so the group with the smallest residual is rounded down (MBI)

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

Green	$22/58 \times 9 = 3.4138$	(3)
Labour	$21/58 \times 9 = 3.2586$	(3)
Liberal Democrat	$7/58 \times 9 = 1.0862$	(1)
Conservative	$5/58 \times 9 = 0.7759$	(1)
MBI	$3/58 \times 9 = 0.4655$	(1)
	Total	(9)

*Figures rounded up total 8; so the group with the largest residual is rounded up (MBI)

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

Green	$22/58 \times 7 = 2.6552$	(3)
Labour	$21/58 \times 7 = 2.5345$	(2)
Liberal Democrat	$7/58 \times 7 = 0.8448$	(1)
Conservative	$5/58 \times 7 = 0.6034$	(1)
MBI	$3/58 \times 7 = 0.3621$	(0)
	Total	(7)

*Figures rounded. However there are only seven seats on each committee so the group with the smallest residual (Labour) is rounded down.

3.3 If all the Committees could be calculated individually, as shown above, the result for the 78 places would give an overall total out of the 78 seats of:-

Green	$6+4+6+15$	$= 31$
Labour	$5+4+6+10$	$= 25$
Liberal Democrat	$2+1+2+5$	$= 10$

Conservative	1+1+2+5	=	9
MBI	1+0+2+0	=	3
	TOTAL		<u>78</u>

3.4 However, the individual committee calculations are a guide only to the balanced composition of each committee. 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 below under the column “September 2024”. The necessary adjustments are shown in the highlighted right-hand column of that same table.

	July 2024	Actual	Rounded	September 2024	Actual	Rounded	Change
Green	22/60x78	28.5999	29	22/58x78	29.5862	30	+1
Labour	23/60x78	29.8999	30	21/58x78	28.2414	28	-2
Lib Dem	7/60x78	9.0999	9	7/58x78	9.4138	9	-
Cons	5/60x78	6.4999	6	5/58/78	6.7241	7	+1
MBI	3/60x78	3.9000	4	3/58/78	4.0345	4	-
	TOTAL		78	TOTAL		78	

4.0 Conclusion

- 4.1 Members are requested to agree the new calculation so that the appropriate adjustments can be made.
- 4.2 Democratic Support has been informed that the Labour Group will be passing one seat on the Planning Committee to the Green Group and one seat on the Appeals Committee to the Conservative Group - following this change to the political composition of the Council. Those adjustments will be dealt with under the standing item on this agenda regarding changes to committee memberships.

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 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.”