

Committee: Annual Council

Agenda Item

Date: 21 May 2013

11

Title: Political Balance on the Council

Author: Peter Snow – Democratic and Electoral Services Manager

Item for decision

Summary

- 1 This report considers the political composition of the Council and recommends that seats on the main committees be allocated to the three political groups as detailed in the report.

Recommendations

That the Council reviews its political composition and achieves political balance by allocating seats on its committees as detailed in the report.

Financial Implications

None

Background Papers

None

Impact]

Communication/Consultation	Political parties to consult within their groups to determine their views on the recommendation
Community Safety	n/a
Equalities	n/a
Health and Safety	n/a
Human Rights/Legal Implications	To comply with the Local Government and Housing Act 1989. In the event that members decide an allocation of seats which does not accord with the principles of political balance set out above this can only be achieved if no members attending the meeting dissent.
Sustainability	n/a
Ward-specific impacts	All

Situation

- 2 The Local Government and Housing Act 1989 requires local authorities to review the representation of the different political groups at the Annual Meeting or as soon as practicable thereafter. It further requires them to allocate the seats on their committees to political groups represented in accordance, so far as reasonably practicable, with the following four principles of proportionality:-
- (a) that not all seats on the body concerned are allocated to the same political group;
 - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of an authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority;
 - (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all seats on that body as is borne by the number of members of that group to the membership of the authority.

Current Situation

- 3 The Council currently has 53 seats on ordinary committees made up as follows:-

Committee	Members
Planning	14
Licensing and Environmental	
Health	11
Scrutiny	10
Performance and Audit	10
Staff Appeals	8

	53

- 4 The current political composition of the council (following the vacation of office by Councillor Crome) is as follows:

Group	Members	Percentage
Conservative	33	76.74%
Liberal Democrat	7	16.28%
Independent	3	6.98%

- 5 Based on the 53 seats, the number of seats available to each group is as follows

Group	Percentage	Total Seats
Conservative	76.74%	(40.67) 41
Liberal Democrat	16.28%	(8.63) 9 (see note below)
Independent	6.98%	(3.70) 4

As the calculation based on 43 members instead of 44 results in an outcome of 54 seats the number must be reduced by one to accommodate the number of members required on each committee. Since the Liberal Democrat allocation is nearest to being rounded down it is proposed to reduce the allocation to the Liberal Democrat group from 9 seats to 8.

Allocation of Seats – Committees

(i) Licensing Committee

- 6 The Licensing Committee cannot be taken into account for the purposes of the calculation because it was not established under the Local Government Act 1972. However, the eleven places on offer can be allocated on the same basis of proportionality, and the Licensing Committee has been included in the calculation of the number of seats.

(ii) Standards Committee

- 7 The Localism Act 2011 set out changes to the Standards regime. There is now no statutory power to appoint a Standards Committee, the Standards functions are to be performed by the Full Council. However it was agreed last year that the Council would not be an appropriate forum for dealing with individual allegations of breaches of the Code of Conduct and a Standards Committee was appointed to undertake this function.
- 8 In the absence of a statutory power, a Standards Committee is required to be appointed under the provisions of the Local Government Act 1972 and will be subject to the rules of political balance. If this committee was included within the calculations the result would be as follows:-

59 seats (6 for Standards Committee) - the number of seats available to each group would be:-

Group	Percentage	Total Seats
Conservative	76.74%	(45.28) 45
Liberal Democrat	16.28%	(9.61) 10
Independent	6.98%	(4.12) 4

This could translate into the allocation of committee seats as set out on the following page.

Committees		Con	LD	Ind
Planning	14	11	2	1
Licensing and EH	11	8	2	1
Scrutiny	10	7	2	1
Performance and Audit	10	7	2	1
Staff Appeals	8	7	1	0
Standards	6	5	1	0
Total	59	45	10	4

- 9 The Council agreed at last year's annual meeting that the rules of political balance contained in the Local Government and Housing Act 1989 applied but that a politically balanced Standards Committee would be undesirable. It was proposed that each political group on the Council would have at least one member on the Standards Committee and each political group could nominate up to three members. The aim was to achieve an even balance on the Committee and ideally there would be two members appointed from each group. This is permissible provided that no member present at the relevant meeting votes against the proposal.

Proposal for allocation of seats

- 10 Based on the principles outlined in paragraph 9, the allocation of the 59 seats (including the Standards and Licensing Committees) could be as follows:-

Committees		Con	LD	Ind
Planning	14	11	2	1
Licensing and EH	11	8	2	1
Scrutiny	10	7	2	1
Performance and Audit	10	8	1	1
Staff Appeals	8	7	1	0
Standards	6	2	2	2
Total	59	43	10	6

It should be noted that the allocation of seats proposed above infringes the rules on political balance but this is permissible as long no member present at the meeting votes against the proposal.

Risk Analysis

There are no risks associated with this report.