



Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP
Telephone 01572 722577 Facsimile 01572 75307
DX28340 Oakham

AGENDA SUPPLEMENT

9) ALLOCATION OF SEATS TO POLITICAL GROUPS (Pages 1 - 12)

Updated to Report No. 95/2015 to show revised political balance calculations and revised provisional allocation of seats.

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COUNCIL

1 June 2015

ALLOCATION OF SEATS TO POLITICAL GROUPS

Report of the Monitoring Officer

Strategic Aim:	All	
Exempt Information	None.	
Cabinet Member(s) Responsible:	N/A	
Contact Officer(s):	Debbie Mogg, Monitoring Officer	Tel: 01572 758358 dmogg@rutland.gov.uk
	Alex Daynes, Team Manager Corporate Support Team	Tel: 01572 758258 adaynes@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Council:

1. Agrees the allocation of seats to Political Groups for the 2015-16 municipal year in accordance with paragraph 6.1 of this report;
2. Notes the appointment of seats on relevant bodies in accordance with Group wishes in Appendices A and B of this report;
3. Appoints Other members to the vacant seats on relevant bodies shown in Appendices A and B of this report.
4. Agrees to the reappointment of the Parish representatives to the Conduct Committee as shown in Appendix B of this report.

1. PURPOSE OF THE REPORT

- 1.1 To consider the allocation of and appoint councillors to seats on relevant bodies appointed by the Council to political groups for the 2015/16 municipal year.

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Council is required to review the representation of groups as soon as practicable after an event which alters the political balance between the

groups and to determine the allocation of seats to be filled by appointments by the authority. This is in accordance with sections 15 to 17 of the Local Government and Housing Act 1989 and Regulations made thereunder.

- 2.2 The Council is required to constitute political groups in accordance with Section 8 of the Local Government (Committees and Political Groups) Regulations 1990.
- 2.3 The Council's duty is to determine the allocation of seats to be filled by appointments by the authority, except the Cabinet. There is a similar requirement on committees which make appointments to sub-committees or other bodies. The purpose is to ensure that there is proportionality across the formal activities of the Council, representing the overall political composition. It affects all formally constituted panels, committees, and sub-committees which discharge functions on behalf of the authority, and some external bodies if they are in the nature of joint committees and the Council appoints at least three members. Political balance is not compulsory for working parties, forums, or joint partnerships.
- 2.4 Following the Local elections on 7 May 2015, the council must now review its political balance and appoint councillors accordingly.

Political Balance

- 2.5 Appendix A sets out the political balance calculations. In summary, the Conservative Group is allocated 52 out of 80 available seats (65.38%). An Independent Group of five members has been formed and it is allocated 16* out of 80 available seats (19.23%). A Liberal Democrat Group has been formed of two members and it is allocated 6 out of 80 available seats (7.69%). The remaining two members not aligned to a political group on the Council, and referred to in this report as "Others", may therefore be allocated the remaining 6 seats (7.69%).

*The Independent Group has indicated its intention to take the one seat remaining following these calculations.

- 2.6 Paragraph 6 and Appendix B show the seats with group affiliations reflecting the group allocations above.
- 2.7 Once the allocation of seats has been determined, there is a duty to make appointments to the bodies concerned as soon as practicable to give effect to the wishes of the group(s).
- 2.8 In respect of those seats not allocated to a Political Group, appointments to memberships of committees are determined by a decision of full Council.
- 2.9 The Health and Wellbeing Board is not subject to political balance calculations and its Terms of Reference sets out the Membership of the Board and states that the Portfolio Holder for Health and Wellbeing along with the Leader of the Council will be appointed to the Board.

3. CONSULTATION

- 3.1 Consultation was undertaken with Political groups and non-aligned members.
- 3.2 The Conservative Group has indicated its choice of seats in accordance with the political balance calculation shown in paragraph 6.1 below and in Appendix B.
- 3.3 The Independent Group has indicated its choice of seats in accordance with the political balance calculation shown in paragraph 6.1 below and in Appendix B.
- 3.4 The Liberal Democrat Group has indicated its choice of seats in accordance with the political balance calculation shown in paragraph 6.1 below and in Appendix B.
- 3.5 The Parish Representatives on the Conduct Committee, following their re-election in May, have confirmed that they are happy to remain on the committee.

4. ALTERNATIVE OPTIONS

- 4.1 It is a statutory requirement to appoint committee and panel seats proportionately based on political balance and therefore there is no alternative option.
- 4.2 The leading group can choose not to use all of its allocation of seats but cannot pass these unused seats to any councillor outside its group.

5. IMPLICATIONS

5.1 FINANCIAL IMPLICATIONS

- 5.1.1 The decision to award Special Responsibility Allowance (SRA) to Committee and Scrutiny Chairs was determined by Council in January 2015 in Report Number 10/2015 Local Authority (Members' Allowance) (England) Regulations 2003 – Review of Rutland County Council's Members' Allowances Scheme. Only one SRA may be paid to each councillor and therefore if a councillor was appointed to more than one position that was allocated an SRA, there would be a saving of the SRA that is not taken.

5.2 LEGAL AND GOVERNANCE CONSIDERATIONS

- 5.2.1 The allocation of seats shall conform to the following principles in the order shown:
 - Not all the seats on a body are allocated to the same political group;
 - A majority of the seats on a body are allocated to a group if it

- comprises a majority of the total membership of the authority;
- The number of seats on ordinary committees allocated to each group bears the same proportion to the total of all seats on ordinary committees as is borne by the number of members of that group to the total membership of the authority; and
- The number of seats on a body allocated to each group bears the same proportion to the number of seats on that body as is borne by the number of members of that group to the total membership of the authority.

5.2.2 Any seats to be filled by the appointment of voting co-optees (as on the People (Children) Scrutiny Panel) are taken into account only for the purpose of determining the majority of seats on the body and not for any other political balance purpose.

6. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

6.1 In conclusion following consideration of the above information, appendices and consultation, the Allocation of Voting Places should be allocated as below (no seats are shown for the Others as until all other seats are allocated the allocation for Others is not known):

	CON	IND	LIB	OTHERS
Audit & Risk Committee (5)	3	1	1	0
Conduct Committee (6)	5	1	0	0
Development Control & Licensing Committee (12)	9	2	0	1
Employment & Appeals Committee (7)	5	1	1	0
Licensing Act Committee (10)	6	3	0	1
People (Adults & Health) Scrutiny Panel (10)	6	2	1	1
People (Children) Scrutiny Panel (10)	6	1	1	2
Places Scrutiny Panel (10)	6	2	1	1
Resources Scrutiny Panel (10)	6	3	1	0
TOTAL	52	16	6	6

7. BACKGROUND PAPERS

No additional background documents were used.

8. APPENDICES

Appendix A – Allocation of Voting Places on Committees and Scrutiny Panels
Appendix B – Appointments and Vacancies with Group affiliations.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

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ALLOCATION OF VOTING PLACES ON COMMITTEES AND SCRUTINY PANELS AND THE ALLOCATION OF PLACES TO POLITICAL GROUPS

COMMITTEE / SCRUTINY PANEL	NUMBER OF VOTING PLACES
Audit and Risk Committee	5
Conduct Committee	6
Development Control and Licensing Committee	12
Employment and Appeals Committee	7
Licensing Committee	10
People (Adults & Health) Scrutiny Panel	10
People (Children) Scrutiny Panel	10 (plus statutory co-opted places)
Places Scrutiny Panel	10
Resources Scrutiny Panel	10
TOTAL 80 voting places	

To ensure that the principle of a majority of the seats on a body are allocated to a group if it comprises a majority of the total membership of the authority, the Conservative Group must retain a majority on each committee or panel.

The revised calculations are shown below:

CONSERVATIVE GROUP

Comprising 17 members = 65.38% of voting places = Total 52.31, voting places = 52.

INDEPENDENT GROUP

Comprising 5 members = 19.23% of voting places = Total 15.38, voting places = 16*.

LIBERAL DEMOCRAT GROUP

Comprising 2 members = 7.69% of voting places = Total 6.15, voting places = 6.

In addition to the political groups above, there are 2 non-aligned/independent members, referred to in this report as "Others" who may fill the remaining 6 voting places as appointed by Council.

*Due to the calculation of the political balance, there was one additional seat to allocate to the non-Conservative Councillors. The Independent Group has indicated its intention to take this seat, giving it 16 seats in total.

The Health and Wellbeing Board is not subject to political balance calculations and its Terms of Reference sets out the Membership of the Board and states that the Portfolio Holder for Health and Wellbeing along with the Leader of the Council will be appointed to the Board.

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Appendix B to Report No. 95/2015

Appointments and Vacancies with Group Affiliations.

Those seats indicated (C) show the Conservative Group's preferred allocation.

Those seats indicated (I) show the Independent Group's preferred allocation.

Those seats indicated (L) show the Liberal Democrat Group's preferred allocation.

Those seats indicated (O) show the Others allocation.

*Chairman

**Vice-Chairman

Audit & Risk Committee

VACANCY (C)

VACANCY (C)

VACANCY (C)

VACANCY (I)

VACANCY (L)

Conduct Committee

VACANCY (C)

VACANCY (C)

VACANCY (C)

VACANCY (C)

VACANCY (C)

VACANCY (I)

Mr I Shatford (Independent Person)

Mr G Grimes (Independent Person)

Mr A Crombie (Parish/Town Council member)

Mr S Aley (Parish/Town Council member)

Development Control & Licensing Committee

VACANCY (C)

VACANCY (C)

VACANCY (C)

VACANCY (C)

VACANCY (C)

VACANCY (C)

VACANCY (C)

VACANCY (C)

VACANCY (C)

VACANCY (I)

VACANCY (I)

VACANCY (O)

Employment & Appeals Committee

VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (I)
VACANCY (L)

Health and Wellbeing Board

Portfolio Holder for Health and Wellbeing
Leader of the Council

Licensing Act Committee

VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (I)
VACANCY (I)
VACANCY (I)
VACANCY (O)

People (Adults & Health) Scrutiny Panel

VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (I)
VACANCY (I)
VACANCY (L)
VACANCY (O)

People (Children) Scrutiny Panel

VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (C)
VACANCY (I)
VACANCY (L)
VACANCY (O)
VACANCY (O)

Places Scrutiny Panel

- VACANCY (C)
- VACANCY (C)
- VACANCY (C)
- VACANCY (C)
- VACANCY (C)
- VACANCY (C)
- VACANCY (I)
- VACANCY (I)
- VACANCY (L)
- VACANCY (O)

Resources Scrutiny Panel

- VACANCY (C)
- VACANCY (C)
- VACANCY (C)
- VACANCY (C)
- VACANCY (C)
- VACANCY (C)
- VACANCY (I)
- VACANCY (I)
- VACANCY (I)
- VACANCY (L)

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