

ANNUAL COUNCIL

10 September 2018

COUNCIL APPOINTMENTS - ADDENDUM

REVIEW OF POLITICAL BALANCE AND ALLOCATION OF SEATS TO POLITICAL GROUPS

Report of the Director for Resources

Strategic Aim:	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	N/A	
Contact Officer(s):	Phil Horsfield - Deputy Director Corporate Governance	01572 758154 phorsfield@rutland.gov.uk
	Natasha Taylor, Governance Team Manager	01572 720991 ntaylor@rutland.gov.uk
Ward Councillors	Not Applicable	

DECISION RECOMMENDATIONS

That Council:

1. Approves the revised political balance calculation as per paragraph 2.7 of this report.
2. Appoints non-aligned members to the two additional seats (as indicated by the Conservative Group) on Committees and Scrutiny Panels.

1 PURPOSE OF THE REPORT

- 1.1 To review the political balance of Committees and Panels in accordance with Section 15 of the Local Government and Housing Act 1989 and Regulations made thereunder, following the resignation and subsequent by-election in the Ward of Oakham South West.
- 1.2 To request the Council to approve the allocation of seats in accordance with the statutory requirements concerning political balance.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Chief Executive was notified on 21 May 2018 that Councillor Richard Clifton had resigned from the Council.
- 2.2 A by-election was subsequently held on 12 July 2018 which resulted in the election of Councillor Richard Alderman for the Oakham South West Ward. It is therefore necessary to review the representation of Groups to ensure there is political balance across the relevant Committees and Panels of the Council.
- 2.3 The Councils' duty is to determine the allocation of seats to be filled by appointments by the authority, except the Cabinet. The purpose is to ensure that there is proportionality across all 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 Councillor Alderman has confirmed that he will not be part of a group and will therefore be a non-aligned member.
- 2.5 There is also currently a vacancy for the Ward of Cottesmore following the resignation of Councillor Andrew Stewart on 9 July 2018. The calculations are therefore based on 25 Members.
- 2.6 There are currently 51 seats/voting places on the Council, as set out in the table below:

Committee	No. of places
Audit and Risk Committee	7
Conduct Committee	6
Planning and Licensing Committee	10
Employment and Appeals Committee	7
Adults and Health Scrutiny	7
Children's Scrutiny	7
Sustainable Growth and Resources Scrutiny	7
Total	51

- 2.7 The composition of the Council is shown in the following table. Using 51 as the total number of voting places across all Committees and Panels, the final column shows the **revised** total number of places each group is entitled to, using the

calculated proportions.

Group	No. of cllrs		Number of seats	Rounded number of seats
Conservatives	15	60	30.60	31
Independent Group	5	20	10.20	10
Non-aligned	5	20	10.20	10
	25	100%	51	51

2.8 The allocations set out in the table below show the **current** allocation of seats to political groups, as agreed at Annual Council in May 2018.

Committee or Panel	Conservative	Independent	Non-aligned
Audit and Risk (7)	4	1	2
Conduct (6)	4	1	1
Planning and Licensing (10)	7	2	1
Employment and Appeals (7)	5	1	1
Adults and Health Scrutiny Panel (7)	5	1	1
Children and Young People Scrutiny Panel (7)	4	2	1
Growth, Infrastructure and Resources Scrutiny Panel (7)	4	2	1
TOTAL	33	10	8

- 2.9 The revised political balance shown at paragraph 2.7 results in the number of seats allocated to the Conservative Group being reduced by two and the number of seats allocated to the non-aligned Councillors being increased by two. There is no change to the allocation of seats to the Independent Group.
- 2.10 The Conservative Group Leader will be asked to consider which seats he would like to give up. Council must then unanimously agree (See Section 6.3) to allocate these seats following nomination of non-aligned members at the meeting in the usual way.
- 2.11 **Appendix A** shows the current membership of each panel and committee, as agreed at Annual Council in May 2018.

3 CONSULTATION

3.1 The information presented in the report has been compiled in consultation with the Group Leaders.

4 ALTERNATIVE OPTIONS

4.1 In line with the relevant legislation, the Council must review the Political Balance and allocation of seats at its Annual Council. Therefore there is no alternative option.

5 FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this report.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 The allocation of seats shall conform to the following principles (Local Government and Housing Act 1989 Part 1 Section 15(5)(a) – (d)) 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.

6.2 Constitutionally, the Council is required to review the representation of Groups at its Annual Meeting each year and 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 Council. This is in accordance with Sections 15 to 17 of the Local Government and Housing Act 1989 and Section 8 of the Local Government (Committees and Political Groups) Regulations 1990 (Requirement to Constitute Political Groups).

6.3 The political proportionality rules that apply in allocating seats on Committees etc. are set out in Section 15 and 16 of the Local Government and Housing Act 1989 and apply only to political groups and not non-aligned Members. Alternative arrangements not complying with section 15 and 16 of the 1989 Act may be made by virtue of Section 17 of the 1989 Act but only if no Member of the relevant authority votes against the recommendation.

7 EQUALITY IMPACT ASSESSMENT

7.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

8 COMMUNITY SAFETY IMPLICATIONS

8.1 There are no community safety implications arising from this report.

9 HEALTH AND WELLBEING IMPLICATIONS

9.1 There are no health and well-being implications arising from this report.

10 BACKGROUND PAPERS

10.1 None

11 APPENDICES

11.1 Appendix A: Current Council Structure.

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