

ANNUAL COUNCIL

29th June 2020

POLITICAL BALANCE AND ALLOCATION OF SEATS TO POLITICAL GROUPS

Report of the Monitoring Officer

Strategic Aim:	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	N/A	
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Ward Councillors	Not Applicable	

DECISION RECOMMENDATIONS

That Council:

1. Appoints the Scrutiny Committees and Standing Committees for the Municipal Year 2020/21.
2. Approves the political balance calculation as contained within the report.
3. Approves the allocation of seats to Political Groups and notes the membership of each committee as set out in Appendix A of the report.

1 PURPOSE OF THE REPORT

- 1.1 To request that Council approve the political balance calculation for the Council, agree the number of voting places and approve and allocate seats on relevant committees and panels appointed by Council to political groups.

2 ESTABLISHMENT OF SCRUTINY COMMITTEES AND STANDING COMMITTEES

- 2.1 The RCC Constitution provides that under Part 4 Section 1, Procedure Rule 22 that the Annual Council meeting considers the establishment of Scrutiny Committees and Standing Committees.
- 2.2 There are currently 53 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	12
Employment and Appeals Committee	7
Adults and Health Scrutiny	7
Children and Young People's Scrutiny	7
Growth, Infrastructure and Resources Scrutiny	7
Total	53

- 2.3 There have been no changes to the terms of reference for Scrutiny Committees and Standing Committees which can be found in Rutland County Council's [Constitution](#) at Part 4, section4, procedure Rule 212 Terms of Reference for Scrutiny Committees and Part 8, sections 6-10, Terms of Reference for Standing Committees.

3 POLITICAL BALANCE

- 3.1 Section 15 of the Local Government and Housing Act 1989 (the Act) imposes a duty on the Council at its Annual meeting to review the allocation of seats on its committees between political groups.
- 3.2 The Council's 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 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. The exception is the Health and Wellbeing Board which is not covered by the Act and so the political balance rules are not applied. Political balance is not compulsory for working parties, forums or joint partnerships.
- 3.3 The composition of the Council is shown in the following table. Using 53 as the total number of voting places across all Committees, the final column shows the total number of places each group is entitled to, using the calculated proportions.

Group	No. of Cllrs	As a % of 26*	Number of seats	Rounded number of seats
Conservatives	17	65.38	34.65	35
Independent Group	6	23.07	12.23	12
Liberal Democrat	3	11.54	6.12	6
	26	100%	53	53
Non-grouped	1	0	0	0
	27	100%	53	53

* The 1 Member who is not part of a group is not accounted for in the political balance calculation (hence 26 rather than 27) as they are unable to take up a committee seat, unless given by the Executive or any other group.

- 3.4 The allocations set out in the table below show the allocation of seats to political groups, as agreed between the political groups. The principle that the majority of seats on all Committees and Sub- Committees are allocated to the political group that has a majority of the Council's membership has been applied.

Committee or Panel	Conservative	Independent	Liberal Democrats
Audit and Risk (7)			
Conduct (6)			
Planning and Licensing (12)			
Employment and Appeals (7)			
Adults and Health Scrutiny Committee (7)			
Children and Young People Scrutiny Committee (7)			
Growth, Infrastructure and Resources Scrutiny Committee (7)			
TOTAL	35	12	6

- 3.5 **Appendix A** shows the allocations to each committee, as informed by Group Leaders where known at the time of publication.

4 OTHER CHANGES

- 4.1 Following approval by Council at its meeting on the 9th September 2019, the constitution has been amended to reflect that Vice Chairmen of all committees will be appointed annually.

5 CONSULTATION

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

6 ALTERNATIVE OPTIONS

- 6.1 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.

7 FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications arising from this report.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 Procedure 13 of the Council Constitution – Appointment of Standing Committees and Procedure Rule 22 – Agenda for Annual Meeting, state that Annual Council must appoint at least one overview and scrutiny committee and such other committees as it considers appropriate to deal with the matters which are neither reserved to the Full Council nor are executive (Leader and Cabinet) functions and determine the terms of reference and number of voting places on those committees and scrutiny committees.

- 8.2 The Council must allocate seats on committees so as to give effect to the political balance rules.

- 8.2.1 The allocation of seats shall conform to the principles of proportionality contained in sections 15 and 16 of the Local Government and Housing Act 1989. There is a duty to give effect to the following principles, as far as reasonably practicable, in the order shown:

- a) Not all the seats on the body are allocated to the same political group
- b) 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;
- c) Subject to (a) and (b) above, that 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
- d) Subject to (a) to (c) above, that 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.

- e) For political balance, a group is required to have at least two members in order to be formally constituted as a political group.
- 8.3 The political proportionality rules that apply in allocating seats on Committees etc. set out in Section 15 and 16 of the Local Government and Housing Act 1989 apply only to political groups and not non-aligned (un-grouped) 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 by passing a resolution with no member voting against the resolution.
- 8.4 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).

9 EQUALITY IMPACT ASSESSMENT

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

10 COMMUNITY SAFETY IMPLICATIONS

- 10.1 There are no community safety implications arising from this report.

11 HEALTH AND WELLBEING IMPLICATIONS

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

12 BACKGROUND PAPERS

- 12.1 None

13 APPENDICES

- 13.1 Appendix 1 – Committee Allocations

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