

ANNUAL COUNCIL

10 May 2021

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	All	

DECISION RECOMMENDATIONS

That Council:

1. Decides the political balance calculation the Council should adopt, either:
 - Calculation to include 27 Councillors (i.e. including non-aligned Members) – see table A
 - Calculation to 24 Councillors (i.e. excluding non-aligned Members) – see table B
2. Approves the allocation of seats to Political Groups, as determined by the vote on political balance calculation and notes the membership of each committee as set out in table A of the report.
3. Approves the increase in the number of seats on the Conduct Committee from 6 to 7 in line with other Council committees.
4. Notes the groups' nominations for the Scrutiny Committees for the Municipal Year 2021/22 as set out in Appendix A of the report. Subject to the vote on 1 above the wishes of the groups for the allocation based on a calculation including 27 members is set out in Appendix A.
5. Notes the groups' nominations for the membership of standing committees
6. Appoints a Councillor from among the membership of each Committee to Chair meetings of those Committees.
 - Growth, Infrastructure and Resources Committee,
 - Children and Young People Scrutiny Committee

- Adults and Health Scrutiny Committee
- Audit and Risk Committee
- Employment and Appeals Committee
- Planning and Licensing Committee
- Conduct Committee

7. Appoints a Chair of the Scrutiny Commission

1 PURPOSE OF THE REPORT

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

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 The Constitutional Review Working Group have recommended that the number of seats on the Conduct Committee be increased from 6 to 7 in line with other committees of the Council (with the exception of Planning and Licensing). Council are being asked to resolve that this change be made and the number of seats to be allocated has been set at 54 to include this increase

2.3 The 54 seats/voting places on the Council are set out in the table below:

Committee	No. of places
Audit and Risk Committee	7
Conduct Committee	7
Planning and Licensing Committee	12
Employment and Appeals Committee	7
Adults & Health Scrutiny	7
Children & Young People Scrutiny	7
Growth, Infrastructure & Resources Scrutiny	7
Total	54

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 tables. Using 54 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. Table A shows the seat allocation when all Members, including those who are non-aligned, are accounted for in the calculation. Table B shows the seat allocation excluding non-aligned Members.

TABLE A

Group	No. of Cllrs	As a % of 27	Number of seats	Rounded number of seats
Conservatives	15	55.55	29.99	30
Independent Group	6	22.22	11.99	12
Liberal Democrat	3	11.11	5.99	6
Non-aligned	3	11.11	5.99	6
	27	100%	54	54

TABLE B

Group	No. of Cllrs	As a % of 24*	Number of seats	Rounded number of seats
Conservatives	15	62.5	33.75	34
Independent Group	6	25	13.5**	13
Liberal Democrat	3	12.5	6.75	7
	24*	100%	54	54
Non-aligned	3	0	0	0
	27	100%	54	54

* The 3 Members who are not part of a group are not accounted for in the political balance calculation (hence 24 rather than 27) as the current position is that they are unable to take up a committee seat, unless given by the Executive or any other group.

** 0.5 as the lowest fraction has been rounded down.

- 3.4 The allocations set out in Appendix A shows the allocation of seats to political

groups, based on political balance calculation A and has been 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.

3.5 **Appendix A** also shows the Councillors allocated to each committee seat, dependent on calculation, as informed by Group Leaders at the time of publication.

4 OTHER APPOINTMENTS

4.1 The Constitution requires that Council should appoint a Councillor from within the membership of the Committee to Chair the meetings of that Committee.

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 A – Committee Allocations based on calculation (A)

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