

COUNCIL

13 December 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	N/A		

DECISION RECOMMENDATIONS

That Council:

1. Adopts the political balance calculation for the Council at Table A.
2. Approves the allocation of seats to Political Groups, as determined by the political balance, as set out in Appendix A of the report.
3. Notes the group's nominations for the Scrutiny and Standing Committees in Appendix A based on the seats allocated, with several nominations to be confirmed by Group Leaders at the meeting.
4. Appoints a Chair of the Adults and Health Scrutiny Committee from among the membership of the Committee.

1 PURPOSE OF THE REPORT

- 1.1 To request that Council approve the political balance calculation for the Council following several events to change the political makeup of the Council, agrees the number of voting places, and allocates seats to political groups on relevant committees appointed by Council.
- 1.2 To request that Council appoints a Chair of the Adults and Health Scrutiny

Committee to fill a vacancy in this position.

2 BACKGROUND

- 2.1 The Council is required by Section 15 of the Local Government and Housing Act 1989 to review the representation of Groups on Committees 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.
- 2.2 The Council reviewed the political balance and allocation of seats at the Annual Meeting on 10 May 2021 and established the following Committees to which political proportionality applies, with 54 seats available in total:

Committee	Number of Places
Audit and Risk Committee	7
Conduct Committee	7
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	54

- 2.3 The Council subsequently reviewed the political balance and allocation of seats at the meeting on 13 September 2021.
- 2.4 As several events have taken place to alter the political balance between Groups since 13 September the Council is now recommended to review the political balance and allocation of seats again to reflect these changes.

3 SUMMARY OF CHANGES TO THE POLITICAL COMPOSITION OF THE COUNCIL SINCE 13 SEPTEMBER

- 3.1 Councillor Adam Lowe, a non-aligned Member representing Oakham North-West, resigned from the Council on 9 September 2021. A by-election for Oakham North-West subsequently took place on Thursday, 4 November. This was won by Councillor Leah Toseland, who now sits as a non-aligned Member.
- 3.2 On Thursday, 4 November, Councillor Alan Walters left the Conservative Group and now sits as a non-aligned Member.
- 3.3 Councillor Richard Coleman, a non-aligned Member representing Ryhall and Casterton, resigned from the Council on Friday, 5 November, and this seat currently

remains vacant leaving 26 Members of the Council.

- 3.4 On Wednesday, 23 November, Councillor Paul Ainsley left the Conservative Group and now sits as a non-aligned Member.

4 POLITICAL BALANCE AND ALLOCATION OF SEATS TO POLITICAL GROUPS

- 4.1 Following the changes set out in Section 3.0, the Political Composition of the Council and subsequent allocation of seats is set out in **Table A** below:

Group	Number of Councillors	As a % of 26	Number of seats	Rounded number of seats (and change from September 2021)
Conservatives	12	46%	24.92	25 (-3)
Independent and Green Group	6	23%	12.46	13 (+1)
Liberal Democrat	4	15%	8.31	8
Non-aligned	4	15%	8.31	8 (+2)
Total	26	100%	54	54

- 4.2 The allocations set out in **Appendix A** show the allocation of seats to groups based on the calculations in Table A.

- 4.3 **Appendix A** also shows the individual Councillors allocated to each committee seats, as informed by Group Leaders and the non-aligned Members at the time of publication. Several nominations will be confirmed by the respective Group Leaders before or at the meeting on 13 December.

5 APPOINTMENT OF CHAIR OF THE ADULTS AND HEALTH SCRUTINY COMMITTEE

- 5.1 On 2 December 2021 the Leader of the Council gave notice that Councillor Samantha Harvey would be joining the Cabinet with effect from Monday, 13 December.

- 5.2 In accordance with Procedure Rule 13, by virtue of her appointment to Cabinet , Councillor Harvey will cease to sit on the Adults and Health Scrutiny Committee and Children and Young People Scrutiny Committee with effect from Monday, 13 December.

- 5.3 As Councillor Harvey was the Chair of the Adults and Health Scrutiny Committee

this position is now vacant, and Council is recommended to appoint a new Chair from among the Membership in Appendix A.

- 5.4 Councillor Harvey was also the Vice-Chair of the Children and Young People Scrutiny Committee, and the Committee will be asked to appoint a new Vice-Chair from among its membership at the next meeting of the Committee.

6 CONSULTATION

- 6.1 Consultation has taken place with the Leaders of all Political Groups on the Council and the four non-aligned Members during the writing of this report.

7 ALTERNATIVE OPTIONS

- 7.1 In line with the relevant legislation, the Council must review the Political Balance and allocation of seats at its Annual Council or as soon as practicable after events to change the political balance have occurred.
- 7.2 The Council could choose to await the outcome of a by-election in Ryhall and Casterton before deciding to calculate the political balance and allocate committee seats to political groups.
- 7.3 However, the date for a by-election is not yet known and a delay would leave a number of Committee seats allocated to non-aligned Members vacant therefore this option is not recommended.

8 FINANCIAL IMPLICATIONS

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

9 LEGAL AND GOVERNANCE CONSIDERATIONS

- 9.1 The Council is required to review the representation of Political 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.
- 9.2 The allocation of seats is required to 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.

9.3 Legislation and Procedure Rule 20 require the allocation of seats strictly in accordance with political group membership at the time. This means that non-aligned members do not automatically qualify. However, provided no member of the Council votes against any proposed arrangement that departs from strict proportionality, seats can be allocated to non-aligned members as suggested in the Report.

9.4 The Council is also required under Procedure Rule 18 to appoint a new Chair of any Committee at the first ordinary meeting after a vacancy occurs.

10 DATA PROTECTION IMPLICATIONS

10.1 A Data Protection Impact Assessments (DPIA) has not been completed as there are no service, policy or organisational changes being proposed.

11 EQUALITY IMPACT ASSESSMENT

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

12 COMMUNITY SAFETY IMPLICATIONS

12.1 There are no community safety implications arising from the report.

13 HEALTH AND WELLBEING IMPLICATIONS

13.1 There are no health or wellbeing implications arising from the report.

14 ORGANISATIONAL IMPLICATIONS

14.1 There are no organisational implications.

15 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

15.1 The report sets out a number of changes that have affected the political composition of the Council and a new Political Balance calculation to reflect this, and the subsequent nominations of Political Groups to match this calculation.

15.2 The Council is recommended to agree the Political Balance and allocation of Committee seats to Political Groups as set out in Appendix A in order to satisfy legislative requirements and ensure that Committee seats are not left vacant.

15.3 Furthermore, the recommendation to appoint a new Chair of the Adults and Health Scrutiny Committee ensures that this position is not left vacant.

16 BACKGROUND PAPERS

- 16.1 Report No. 53/2021 - Political Balance and Allocation of Seats to Political Groups. Considered by Council on 10 May 2021.
- 16.2 Report No. 106/2021 - Political Balance and Allocation of Seats to Political Groups. Considered by Council on 13 September 2021.

17 APPENDICES

- 17.1 Appendix A – Committee Allocations to Political Groups and Membership as informed by Group Leaders at time of publication.

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