

COUNCIL

7 November 2022

POLITICAL BALANCE AND ALLOCATION OF SEATS TO POLITICAL GROUP

Report of the Monitoring Officer

Strategic Aim:	A modern and effective Council		
Exempt Information	No		
Cabinet Member(s) Responsible:	Cllr K Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation		
Contact Officer(s):	Angela Wakefield, Director of Legal and Governance	01572 758220 awakefield@rutland.gov.uk	
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Ward Councillors	NA		

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 revised group's nominations for Committees in Appendix A based on the seats allocated.
- 4) Approves the appointment of non-aligned Members to Committees as outlined in Appendix A

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.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 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 set the previous political balance and allocation of seats at Annual Council on 9 May 2022 (subsequently adjusted on 4 July following the uncontested Oakham South by-election) and established the following Committees to which political proportionality applies, with 49 seats available in total.

Committee	Number of Seats
Audit and Risk Committee	7
Conduct Committee	7
Constitution Commission	7
Employment and Appeals Committee	7
Planning and Licensing Committee	12
Strategic Overview and Scrutiny Committee	9
Total	49

- 2.3 On 12 October 2022, Councillor A Walters left the Independents and Green Group and now sits as a non-aligned Member. Thereby requiring a review of the political balance calculations.

3 CHANGES TO POLITICAL AFFILIATION AND SUBSEQUENT POLITICAL BALANCE AND ALLOCATION OF SEATS TO GROUPS

- 3.1 Following the above change, the Political Composition of the Council and subsequent allocation of seats is set out in **Table A** below:

Group	Number of Councillors (With change from July 2022)	As a % of 27	Number of Seats	Rounded number of Seats (With change from July 2022)
Independents and Green Group	6 (-1)	22%	10.89	11 (-2)
Conservatives	6	22%	10.89	11

Liberal Democrats	6	22%	10.89	11
Together4Rutland	4	15%	7.26	7
Non-aligned	5 (+1)	19%	9.07	9 (+2)
Totals	27	100%	49.00	

3.2 Political balances requires that the Independents and Green Group cede two seats to non-aligned Members and in discussion with all groups it has been agreed these be from the Audit and Risk Committee and the Employment and Appeals Committee.

3.3 The allocations set out in **Appendix A** shows the proposed allocation of seats to groups and appointment of non-aligned Members in line with Table A.

4 CONSULTATION

4.1 All Group Leaders and non-aligned Members have been consulted during the preparation of this report and Appendix A reflects these discussions.

5 ALTERNATIVE OPTIONS

5.1 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.

5.2 The Council could choose to adopt a Political Balance calculation not to include nonaligned Members as set out in **Table B** below but this is not recommended as the principle of appointing non-aligned Members to Committees has been approved by Council at every opportunity since May 2021.

Group	Number of Councillors	As a % of 22	Number of Seats	Rounded number of Seats
Independents and Green Group	6	27%	13.36	13
Conservatives	6	27%	13.36	13
Liberal Democrats	6	27%	13.36	13
Together4Rutland	4	18%	8.91	9
Totals	22	100%	49.00	48

6 FINANCIAL IMPLICATIONS

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

7 LEGAL AND GOVERNANCE CONSIDERATIONS

- 7.1 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.
- 7.2 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.
- 7.3 There is a duty to give effect to the following principles, as far as reasonably practicable, in the order shown:
- 7.3.1 Not all the seats on the body are allocated to the same political group
- 7.3.2 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.
- 7.3.3 Subject to 7.3.1 and 7.3.2 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.
- 7.3.4 Subject to 7.3.1 to 7.3.3 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.
- 7.3.5 For political balance, a group is required to have at least two members in order to be formally constituted as a political group.
- 7.4 Legislation and Procedure Rule 17 require the allocation of seats strictly in accordance with political group membership at the time. This means that nonaligned 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 recommended in the Report.

8 DATA PROTECTION IMPLICATIONS

- 8.1 A Data Protection Impact Assessments (DPIA) has not been completed as no personal data has been processed in the preparation of the report.

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 the report.

11 HEALTH AND WELLBEING IMPLICATIONS

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

12 ORGANISATIONAL IMPLICATIONS

- 12.1 There are no organisational implications arising from the report.

13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 13.1 The report sets out 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.
- 13.2 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 filled.

14 BACKGROUND PAPERS

- 14.1 Report No. 90/2022 and Appendices - Political Balance and Allocation of Seats to Political Groups. Considered by Annual Council on 9 May 2022.
- 14.2 Report No. 124/2022 and Appendices - Political Balance and Allocation of Seats to Political Groups. Considered by Council on 4 July 2022.

15 APPENDICES

- 15.1 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.