

ANNUAL COUNCIL

22 May 2023

POLITICAL BALANCE AND ALLOCATION OF SEATS TO POLITICAL GROUPS

Report of the Strategic Director for Law and Governance

Strategic Aim:	A modern and effective Council	
Exempt Information	No	
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Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Council:

1. Approves the political balance calculation the Council should adopt for 2023/24 contained within Appendix A (To Follow).
2. Approves the subsequent allocation of seats on Committees to Political Groups, as determined by the vote on political balance calculation, as set out in Appendix B (To follow).
3. Notes the political group nominations for membership of the Council's Committees as set out in Appendix B.
4. Authorises the Strategic Overview and Scrutiny Committee to co-opt five Members on education matters only, in accordance with the Constitution and the Local Government Act 2000.
5. Appoints a Chair for each of the following Committees from among their membership:
 - a) Audit and Risk Committee
 - b) Conduct Committee
 - c) Constitution Commission
 - d) Employment and Appeals Committee
 - e) Planning and Licensing Committee

f) Strategic Overview and Scrutiny Committee

6. Notes that the Portfolio Holders with responsibility for health and children's services are automatically the appointed Members to the Health and Wellbeing Board, with the former assuming the role of Chair.

1 PURPOSE OF THE REPORT

- 1.1 The report requests a number of decisions by Council as required at the Annual Meeting, these are the political balance calculations, allocation of seats to political groups, and the appointments of Chairs on these Committees.

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 to determine the allocation of seats to these Committees.
- 2.2 The Council's duty is to determine the allocation of seats to bodies of the Council. 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 which discharge functions on behalf of the Authority.
- 2.3 The exceptions are the Cabinet whose membership is determined by the Leader, the Health and Wellbeing Board which is not covered by the Act, and any working parties, forums or joint partnerships.

3 ESTABLISHMENT OF SCRUTINY AND OTHER COMMITTEES

- 3.1 Following previous Council decisions on the arrangements for composition of Committees, the 49 seats on Council Committees are set out in the table below:

Committee	Number of Places
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

- 3.2 The Council is also required to co-opt educational representatives to its relevant Scrutiny Committee for educational matters which is the Strategic Overview and

Scrutiny Committee. These representatives are entitled to attend and vote at meetings of the Committee on educational matters only. It is recommended that the Strategic Overview and Scrutiny Committee be given delegated authority to co-opt five Members for this purpose.

4 POLITICAL COMPOSITION OF THE COUNCIL FOLLOWING MAY 2023 ELECTIONS AND POLITICAL BALANCE CALCULATIONS

- 4.1 Elections to the Council took place on 4 May 2023 to all 27 seats and full details of the results can be found on the Council's website: <https://www.rutland.gov.uk/elections-voting/election-results>
- 4.2 Following the results of the election, the Proper Officer will be notified of the political groups that have been formed in accordance with the Political Groups Regulations.
- 4.3 **Appendix A** (To follow) will set out the total number of Members in each political group and the resulting political balance calculation for Council to approve.
- 4.4 **Appendix B** (To follow) then details the following matters:
 - 4.4.1 The allocation of seats on each Committee to political groups, for approval.
 - 4.4.2 The subsequent nominations of political groups to fill their allocated seats, for noting.

5 APPOINTMENTS OF CHAIRS

- 5.1 The Constitution also requires that Council at its Annual Meeting should appoint a Councillor from within the membership of each Committee as the Chair, with the exception of the Chair of the Health and Wellbeing Board which is specified by its Terms of Reference as the Portfolio Holder with responsibility for Health.
- 5.2 The Vice-Chairs of the Committees will subsequently be appointed by the Committees themselves at their first meetings of the municipal year.

6 CONSULTATION

- 6.1 Group Leaders have been consulted in the compilation of the relevant parts of the report and appendices.

7 ALTERNATIVE OPTIONS

- 7.1 The Council is required to review the Political Balance and allocation of seats and make a number of appointments at its Annual Meeting which must be within 21 days of elections to the Council.
- 7.2 To delay or not make the appointments would negatively impact the Council's ability to transact business and this is therefore not recommended.

8 FINANCIAL IMPLICATIONS

- 8.1 There are no direct financial implications arising from the report, the Special Responsibility Allowances payable to Chairs of Committees are budgeted for within the Member Services Budget.

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.
- 9.3 There is a duty to give effect to the following principles, as far as reasonably practicable, in the order shown:
- 9.3.1 Not all the seats on the body are allocated to the same political group
- 9.3.2 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.
- 9.3.3 Subject to 9.3.1 and 9.3.2 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.
- 9.3.4 Subject to 9.3.1 to 9.3.3 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.
- 9.3.5 For political balance, a group is required to have two or more Members in order to be formally constituted as a political group.

10 DATA PROTECTION IMPLICATIONS

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

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 applications arising from the report.

15 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 15.1 The Council is recommended to agree a political balance calculation and make the relevant appointments to the membership of the Council's Committees, in order to ensure that these Committees can transact their businesses in line with their Terms of Reference.

16 BACKGROUND PAPERS

- 16.1 Results of elections to the Council held on 4 May 2023:
<https://www.rutland.gov.uk/council-news/2023/05/rutland-local-election-results>
- 16.2 Constitution of the Council, Part 4 – Procedure Rules

17 APPENDICES

- 17.1 Appendix A – Political Balance Calculation (To Follow)
- 17.2 Appendix B - Committee Allocations to Political Groups and Membership as informed by Group Leaders at time of publication (To Follow).

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