

COUNCIL

1 June 2015

ALLOCATION OF SEATS TO POLITICAL GROUPS

Report of the Monitoring Officer

Strategic Aim:	All	
Exempt Information	None.	
Cabinet Member(s) Responsible:	N/A	
Contact Officer(s):	Debbie Mogg, Monitoring Officer	Tel: 01572 758358 dmogg@rutland.gov.uk
	Alex Daynes, Team Manager Corporate Support Team	Tel: 01572 758258 adaynes@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Council:

1. Agrees the allocation of seats to Political Groups for the 2015-16 municipal year in accordance with paragraph 6.1 of this report;
2. Notes the appointment of seats on relevant bodies to the Conservative Group in accordance with Appendices A and B of this report;
3. Appoints other members to the vacant seats on relevant bodies shown in Appendices A and B of this report.

1. PURPOSE OF THE REPORT

- 1.1 To consider the allocation of and appoint councillors to seats on relevant bodies appointed by the Council to political groups for the 2015/16 municipal year.

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Council is required to review the representation of groups 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 authority. This is in accordance with sections 15 to 17 of the Local Government and Housing Act 1989 and Regulations made thereunder.

- 2.2 The Council is required to constitute political groups in accordance with Section 8 of the Local Government (Committees and Political Groups) Regulations 1990.
- 2.3 The Council's duty is to determine the allocation of seats to be filled by appointments by the authority, except the Cabinet. There is a similar requirement on committees which make appointments to sub-committees or other bodies. The purpose is to ensure that there is proportionality across the formal activities of the Council, representing the overall political composition. It affects all formally constituted panels, 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. Political balance is not compulsory for working parties, forums, or joint partnerships.
- 2.4 Following the Local elections on 7 May 2015, the council must now review its political balance and appoint councillors accordingly.

Political Balance

- 2.5 Appendix A sets out the political balance calculations. In summary, the Conservative Group is allocated 52 out of 80 available seats (65.38%). An Independent Group of five members has been formed and it is allocated 15 out of 80 available seats (19.23%). Those independent members or those not aligned to a political group on the Council, and referred to in this report as "Others", may therefore be allocated the remaining 12 seats (15.38%). There remains one seat following these calculations to be allocated to the Independent Group or Others.
- 2.6 Paragraph 6 and Appendix B show the vacant seats with group affiliations reflecting the group allocations above. There remains four Conservative Group seats to be allocated before the Others can be nominated to any remaining vacant seats.
- 2.7 Once the allocation of seats has been determined, there is a duty to make appointments to the bodies concerned as soon as practicable to give effect to the wishes of the group(s).
- 2.8 In respect of those seats not allocated to a Political Group, appointments to memberships of committees are determined by a decision of full Council.
- 2.9 The Health and Wellbeing Board is not subject to political balance calculations and its Terms of Reference sets out the Membership of the Board and states that the Portfolio Holder for Health and Wellbeing along with the Leader of the Council will be appointed to the Board.

3. CONSULTATION

- 3.1 Consultation was undertaken with Political groups and non-aligned members.

3.2 The Conservative Group has indicated its choice of seats in accordance with the political balance calculation shown in paragraph 6.1 below and in Appendix B with four seats remaining to be allocated.

3.3 The Independent Group has indicated its choice of seats (and councillors) in accordance with the political balance calculation shown in paragraph 6.1 below and in Appendix B.

4. ALTERNATIVE OPTIONS

4.1 It is a statutory requirement to appoint committee and panel seats proportionately based on political balance and therefore there is no alternative option.

4.2 The leading group can choose not to use all of its allocation of seats but cannot pass these unused seats to any councillor outside its group.

5. IMPLICATIONS

5.1 FINANCIAL IMPLICATIONS

5.1.1 The decision to award Special Responsibility Allowance (SRA) to Committee and Scrutiny Chairs was determined by Council in January 2015 in Report Number 10/2015 Local Authority (Members' Allowance) (England) Regulations 2003 – Review of Rutland County Council's Members' Allowances Scheme. Only one SRA may be paid to each councillor and therefore if a councillor was appointed to more than one position that was allocated an SRA, there would be a saving of the SRA that is not taken.

5.2 LEGAL AND GOVERNANCE CONSIDERATIONS

5.2.1 The allocation of seats shall conform to the following principles in the order shown:

- Not all the seats on a body are allocated to the same political group;
- 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;
- 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
- 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.

5.2.2 Any seats to be filled by the appointment of voting co-optees (as on the People (Children) Scrutiny Panel) are taken into account only for the purpose of determining the majority of seats on the body and not for any other political balance purpose.

6. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 6.1 In conclusion following consideration of the above information, appendices and consultation, the Allocation of Voting Places should be allocated as below (no seats are shown for the Others as until all other seats are allocated the allocation for Others is not known):

	CON*	IND	OTHERS**	VACANCY
Audit & Risk Committee (5)	3	1	-	1
Conduct Committee (6)	4	1	-	1
Development Control & Licensing Committee (12)	7	3	-	2
Employment & Appeals Committee (7)	4	1	-	2
Licensing Act Committee (10)	6	3	-	1
People (Adults & Health) Scrutiny Panel (10)	6	1	-	3
People (Children) Scrutiny Panel (10)	6	1	-	3
Places Scrutiny Panel (10)	6	2	-	2
Resources Scrutiny Panel (10)	6	2	-	2
TOTAL*	48 (can appoint up to 52)	15	12	1[#]

*the above table shows the minimum allocation of seats for the Conservative Group and it can appoint four more seats across the committees/panels listed.

**No seats are shown for the Others as until all other seats are allocated the allocation for Others is not known.

[#]One additional seat is to be allocated to the Independent Group or Others.

7. BACKGROUND PAPERS

No additional background documents were used.

8. APPENDICES

Appendix A – Allocation of Voting Places on Committees and Scrutiny Panels
Appendix B – Appointments and Vacancies with Group affiliations.

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