

## ANNUAL COUNCIL

9 May 2016

## POLITICAL BALANCE

### Report of the Monitoring Officer

|                                |   |  |
|--------------------------------|---|--|
| Strategic Aim:                 | All   |  |
| Exempt Information             | No  |  |
| Cabinet Member(s) Responsible: | Mr T King, Leader of the Council                |  |
| Contact Officer(s):            | Debbie Mogg, Monitoring Officer                 | 01572 758358<br><a href="mailto:dmogg@rutland.gov.uk">dmogg@rutland.gov.uk</a>       |
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| Ward Councillors:              | All   |  |

### DECISION RECOMMENDATIONS

That Council:

1. Agrees to the number of seats on the Council being increased by one to 81, to take account of a proposed increase in the membership of the Audit and Risk Committee from five to six;
2. Agrees the number of voting places on Scrutiny Panels and Standing Committees of the Council for the Municipal Year 2016/17, as detailed at paragraph 5.4 to this report;
3. Approves the revised political balance calculation, as detailed at Appendix A to this report;
4. Agrees the allocation of seats to Political Groups in accordance with Paragraph 5.4 of this report; and
5. Appoints other Members to the vacant seats, as detailed at Appendix B to this report.

### 1 PURPOSE OF THE REPORT

- 1.1 To approve the revised political balance calculation for the Council, agree the number of voting places and approve and allocate seats on relevant committees and panels appointed by Council to political groups.

## **2 BACKGROUND AND MAIN CONSIDERATIONS**

### Introduction

- 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 Council Procedure Rule 22 (Agenda for Annual Meeting) provides that Council shall, at its Annual Meeting each year:
- (m) Determine the number of places and voting places on Scrutiny Panels;
  - (n) Allocate the number of voting places on Scrutiny Panels to each political group;
  - (r) Determine the number of places and voting places on Standing Committees; and
  - (s) Allocate the number of voting places on Standing Committees to each political group.
- 2.5 The leading group can choose not to use all of its allocation of seats but it cannot pass these unused seats to any Councillor outside its group.
- 2.6 Following the uncontested Greetham by-election, Mr Nick Begy has been appointed as Ward Member and has filled the one remaining vacancy on the Council. Accordingly, the political balance of the Council is required to be reviewed at its Annual Meeting to be held on 9 May 2016.

### Political Balance

- 2.7 At a meeting of Group Leaders, it was proposed that Council increase the number of seats on its Audit and Risk Committee from five to six, giving the total number of seats on the Council as 81.
- 2.8 Appendix A to this report gives details of the number of seats each political group

and non-aligned Members (those not aligned to a political group and referred to in this report as “others”) are entitled to. This takes into account, the appointment to the Council of Mr Nick Begy following the uncontested Greetham by-election.

- 2.9 In summary, the Conservative Group is now allocated 53 seats (65%), instead of the 52 previously held. The number of seats allocated to the Independent Group remains at 16 (19%). The number of seats to be allocated to the Liberal Democrat Group remain the same at six (8%) and “others” may therefore be allocated the remaining six voting places as approved by the Council (8%).
- 2.10 Taking into account the wishes of the Political Groups, the allocation of seats is proposed as set out at paragraph 5.4 below.
1. The Conservative Group has increased its number of seats on the Audit and Risk Committee and the Children Scrutiny Panel by one.
  2. The Independent Group wishes to decrease its number of seats on the Licensing Act Committee by two and increase its number of seats on the People (Children) Scrutiny Panel by one.
  3. The Liberal Democrat Group wishes to increase its number of seats on the Development Control and Licensing Committee by one by reducing its number of seats on the People (Children) Scrutiny Panel by one.

### **3 CONSULTATION**

#### No. of Voting Places and Allocation of Seats

- 3.1 Consultation was undertaken with Political Groups and non-aligned Members.
- 3.2 The Conservative, Independent and Liberal Democrat Groups have indicated their choice of seats in accordance with the political balance calculations shown in paragraph 5.4.

### **4 ALTERNATIVE OPTIONS**

- 4.1 In accordance with its Constitution, the Council is required to review the political balance on its committees etc. at its Annual Meeting. Failure to do so will be contrary to legislation and the Council’s Constitution and the decision to adopt the revised political balance would stand deferred to the next ordinary meeting of the Council, to be held on Monday 11 July 2016.

### **5 LEGAL AND GOVERNANCE CONSIDERATIONS**

#### Political Balance and Political Groups

- 5.1 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 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.

5.3 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).

5.4 The Annual Meeting of the Council on 9 May 2016 is responsible for appointments to its Panels and Committees, in accordance with Council Procedure Rule 22.

5.5 Corporate Support Officers will revise the list of Committee and Panel appointments in accordance with the outcome of the Council's decision.

5.6 By applying the calculations, and taking account of the preferences of the Political Groups, the proposed allocation of voting places and any vacancies is as below:

| <b>Committee or Panel</b>                      | <b>Conservative</b> | <b>Independent</b> | <b>Liberal Democrat</b> | <b>Others</b> |
|--|---------------------|--------------------|-------------------------|---------------|
| Audit and Risk (6)                             | 4                   | 1                  | 1                       | 0             |
| Conduct (6)                                    | 4                   | 1                  | 0                       | 1             |
| Development Control and Licensing (12)         | 8                   | 2                  | 1                       | 1             |
| Employment and Appeals (7)                     | 5                   | 1                  | 1                       | 0             |
| Licensing Act (10)                             | 7                   | 2                  | 0                       | 1             |
| People (Adults and Health) Scrutiny Panel (10) | 6                   | 2                  | 1                       | 1             |
| People (Children) Scrutiny Panel (10)          | 7                   | 2                  | 0                       | 1             |
| Places Scrutiny Panel (10)                     | 6                   | 2                  | 1                       | 1             |
| Resources Scrutiny Panel (10)                  | 6                   | 3                  | 1                       | 0             |
| <b>TOTAL</b>                                   | <b>53</b>           | <b>16</b>          | <b>6</b>                | <b>6</b>      |

## **6 EQUALITY IMPACT ASSESSMENT**

6.1 There are no equality impact implications arising from this report.

## **7 COMMUNITY SAFETY IMPLICATIONS**

7.1 There are no community safety implications arising from this report.

## **8 HEALTH AND WELL-BEING IMPLICATIONS**

8.1 There are no health and well-being implications arising from this report.

## **9 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

9.1 In order to review the political balance calculations in accordance with the requirements of the Constitution, this matter is being placed before Council at this

meeting.

- 9.2 This review is to recognise the appointment of Mr Nick Begy to the Council and in accordance with the Council's Constitution, which provides for the Annual Meeting of the Council to determine the allocation of seats to political groups.

## **10 BACKGROUND PAPERS**

- 10.1 None

## **11 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.**