

**MEETING OF THE COUNCIL****16 DECEMBER 2014****REPORT OF THE CHIEF EXECUTIVE****BY-ELECTION : 27 NOVEMBER 2014 –  
ALLOCATION OF SEATS ON COMMITTEES, SUB-COMMITTEES,  
THE CATTLE MARKET WORKING GROUP AND THE MELTON LOCAL PLAN  
WORKING GROUP, AND THE  
LEADERSHIP OF THE OPPOSITION****1.0 PURPOSE OF REPORT**

- 1.1 Following the by-election for the Asfordby Ward held on 27 November 2014 and the resulting change in political balance, it is a requirement that the Council reconsiders and determines the allocation of seats on Committees and Sub-Committees in accordance with the political balance rules set out in the Local Government and Housing Act 1989, S15-17 (as amended) for the period to the Annual Meeting in May 2015 (Appendix A).
- 1.2 The Council is also requested to consider and determine the proposals of the political groups for the membership of the Cattle Market Working Group and the Melton Local Plan Working Group for the period to the Annual Meeting in 2015 (Appendix A).
- 1.3 As both Opposition Groups now have an equal number of Members, the Council is requested to consider and determine the question of the Leader of the Opposition.
- 1.4 Some consequential amendments to Committee memberships have also been requested.

**2.0 RECOMMENDATIONS**

- 2.1 **To approve the political balance percentages and number of seats allocated to each political group as set out in the table at paragraphs 3.3 and 3.4; and**
- 2.2 **To approve the proposals of the political groups for membership of the Cattle Market Working Group and the Melton Local Plan Working Group for the period to the Annual Meeting in 2015 (Appendix A).**
- 2.3 **To note that as a result of the by-election, there is no change to Chairs, Vice Chairs, Forums, Partnerships, Outside Organisations, Lead Members and memberships of the Working Groups apart from the Cattle Market and the Melton Local Plan.**
- 2.4 **To note that in accordance with the political balance rules set out in the Local Government and Housing Act 1989, S15-17 (as amended) political balance is to be achieved in total across all the Committees and within all individual Committees requiring political balance and to note also that political balance applies to Sub-Committees as required.**

2.5 To approve the changes in membership of Committees as follows:

(1) Councillor Ronnie de Burle to take a seat on the Policy, Finance & Administration Committee;

(2) Councillor Mark Barnes resigns from the Policy, Finance and Administration Committee to be replaced by Councillor Joe Orson;

(3) The Conservative Group will advise the Chief Executive of the Councillor to take the seat on the Planning Committee. The Chief Executive thereafter to exercise her delegated authority.

2.6 To determine and appoint the Leader of the Opposition Group.

3.0 KEY ISSUES

3.1 The Local Government and Housing Act 1989, Sections 15-17 (as amended) explains that the Council is required to allocate seats to political groups in accordance with the political balance of the Council. The Act also states that political balance is required not only across the Committees but also within each Committee and Sub-Committee.

3.2 Where political balance requirements apply, the Council may vary the requirements by resolution provided that no Member of the Council votes against the resolution. Political groups are not entitled to have more than their allocated share of seats.

3.3 The following table shows the number of Councillors in each political group, the percentage of representation required within the Council and the allocation of seats over the 6 Committees that are required to be politically balanced :-

| Group             | No. of Councillors | Percentage  |               | Allocation of Seats over 6 Committees |
|-------------------|--------------------|-------------|---------------|---------------------------------------|
| Conservative      | 19                 | 68%         | (67.85)       | 38.76 = 39                            |
| Labour            | 4                  | 14%         | (14.29)       | 7.98 = 8                              |
| Independent       | 4                  | 14%         | (14.29)       | 7.98 = 8                              |
| Single Councillor | 1                  | 4%          | (3.57)        | 2.28 = 2                              |
| <b>Totals</b>     | <b>28</b>          | <b>100%</b> | <b>100.00</b> | <b>57 seats</b>                       |

3.4 The following table gives the allocation of seats in accordance with political balance given the percentages involved :-

| 2011/12       | APP          | CSA           | PLNG          | GOV           | PFA           | REEA          | TOTALS        |
|---------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Conservative  | 3<br>(3.40%) | 7<br>(6.80%)  | 8<br>(7.48%)  | 7<br>(6.80%)  | 7<br>(6.80%)  | 7<br>(7.48%)  | <b>39 (√)</b> |
| Labour        | 1<br>(0.7%)  | 2<br>(1.4%)   | 1<br>(1.54%)  | 1<br>(1.4%)   | 1<br>(1.8%)   | 2<br>(1.54%)  | <b>8 (√)</b>  |
| Independent   | 1<br>(0.7%)  | 1<br>(1.4%)   | 2<br>(1.54%)  | 1<br>(1.4%)   | 1<br>(1.8%)   | 2<br>(1.54%)  | <b>8 (√)</b>  |
| Single Cllr   | 0<br>(0.2%)  | 0<br>(0.4%)   | 0<br>(0.44%)  | 1<br>(0.4%)   | 1<br>(0.4%)   | 0<br>(0.44%)  | <b>2 (√)</b>  |
| <b>Totals</b> | <b>5 (√)</b> | <b>10 (√)</b> | <b>11 (√)</b> | <b>10 (√)</b> | <b>10 (√)</b> | <b>11 (√)</b> | <b>57 (√)</b> |

3.5 Paragraph 3.4 shows that the main change in the allocation of seats on the above Committees as a result of the by-election is that, the Conservative Group has gained 2 seats and the Labour Group has lost 2 seats.

- 3.6 As mentioned above in 3.2, the seats must balance across Committees and within Committees. The 3 main groups balance across Committees and the Single Councillor has been allocated the remaining 2 seats. Officers have been advised of the wishes of the Conservative, Labour and Independent Groups. These are that the Conservatives take the two additional seats on Policy, Finance and Administration Committee and Planning Committee.
- 3.7 The Licensing Committee does not require to be politically balanced and is therefore not included in the above calculations. Also there are no current vacancies on this Committee, therefore the membership of this Committee is not included in this report.
- 3.8 Under the political balance position applied in paragraph 3.3, the Council is to consider political balance of Working Groups where this is required. The Working Groups which have sufficient membership to make a change to the political balance are the Cattle Market Working Group being 8 Members and the Melton Local Plan Working Group being 9 Members. Less than 8 Members, does not change the current balance arrangements and therefore only these Working Groups are included for consideration.
- 3.9 Appendix A gives the political groups' seat allocations to the relevant Committees and the nominations to the Working Groups for the period to the Annual Meeting in May 2015.
- 3.10 Under Part 2 Articles of the Constitution, Key Roles para. 2.2(e) Leader of the Opposition states: *The Council recognises other Group Leaders and will appoint a Leader of the Opposition, being the Leader of the largest opposition group.* The recent by-election has resulted in the two opposition groups – Labour and Independent – now having an equal number of Members. The Council is asked to consider this appointment in the light of this situation.

#### 4.0 **POLICY AND CORPORATE IMPLICATIONS**

- 4.1 There Council has followed its existing arrangements, practices and procedures in seeking the wishes of the Political Groups set out in this report.

#### 5.0 **FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

- 5.1 There are no financial or resource implications in this report.

#### 6.0 **LEGAL IMPLICATIONS/POWERS**

- 6.1 The legislation relating to political balance and associated interpretation is contained within this report.

#### 7.0 **COMMUNITY SAFETY**

- 7.1 There are no community safety implications in this report.

#### 8.0 **EQUALITIES**

- 8.1 The Council has an equal opportunities and diversity policy and Councillors are required to receive training on equalities. Therefore when appointing Members to

their roles, it is assumed that Group Leaders would take equalities issues into consideration.

## 9.0 **RISKS**

9.1 There are no risk implications in this report.

## 10.0 **CLIMATE CHANGE**

10.1 There are no climate change implications in this report.

## 11.0 **CONSULTATION**

11.1 There has been consultation with the Group Leaders.

## 12.0 **WARDS AFFECTED**

12.1 All wards are affected by this report.

---

Contact Officer: Democracy Officer & Involvement Officer

Date: December 2014

Appendices : Appendix A - Membership of Committees 2014/15

Background Papers: Local Government & Housing Act 1989, S15-17 (as amended)

X : Committees\Council \2014 15\161214