



Review of Political Balance and Allocation of Seats to Political Groups

Corporate Priority:	All
Relevant Ward Member(s):	N/A
Date of consultation with Ward Member(s):	N/A
Exempt Information:	No

1 Summary

- 1.1 To approve the revised political balance calculations and allocation of seats on committees in accordance with statutory requirements (as set out in the report) following recent changes including a by-election which alters the political balance between the Groups.
- 1.2 To elect Chairmen and Vice Chairmen of Committees

2 Recommendation(s)

That Council:

- 2.1 Approve the political balance calculations at paragraph 5.1 of the report;
- 2.2 Approve the allocation of seats to Political Groups shown at paragraph 5.3 of the report and notes the membership of each Committee as set out in Appendix A;
- 2.3 Elects Chairmen and Vice Chairmen of Committees from those nominated in Appendix B; and
- 2.4 Approves payments of Special Responsibility Allowances for those Members that have informally acted into Chairman and Vice Chairman roles in the interim period as described in Paragraph 4.5.

3 Reason for Recommendations

- 3.1 To ensure that the council complies with its statutory obligations under the Local Government and Housing Act 1989.

4 Background

4.1 Changes altering the political balance between groups

- 4.1.1 The Proper Officer was notified in accordance with the requirements set out in Regulation 10 of the Local Government (Committees and Political Groups) Regulations 1990 that Councillor Pat Cumbers no longer wished to be treated as a member of the Conservative Group with effect from 27 October 2021. Councillor Cumbers was therefore deemed a non-aligned Councillor from 27 October 2021.
- 4.1.2 At the by-election on Thursday 11 November 2021, Councillor Timothy Webster of The Conservative Party was elected to represent the Melton Dorian Ward.
- 4.2 Pursuant to Section 15 of the Local Government and Housing Act 1989 the authority is under a duty to review the allocation of seats to Political Groups as soon as practicable following a change to the membership of those groups.
- 4.3 The Councils' duty is to determine the allocation of seats to be filled by appointments by the authority, except the Cabinet and the Licensing Committee. 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 panels, committees and subcommittees which discharge functions on behalf of the authority.
- 4.4 Legislation states that only those members who form a properly constituted group shall be included within political balance calculations. This would not therefore include any non-aligned members.
- 4.5 The Proper Officer was notified that the Conservative Group wished to make changes to Committee allocations with effect from 23 October 2021. These changes resulted in the Chair of Scrutiny, Planning and Audit and Standards Committee being left vacant. Chairs of the Committees were appointed at the individual meetings in accordance with the Constitution. We have been notified that Councillor Posnett and Councillor Child have respectively assumed the responsibilities of the Planning Committee and Scrutiny Committee Chair on an informal basis in the interim period between the changes notified by the Conservative Group and the formal appointment by Council. Councillor Wilkinson has also assumed the responsibilities of Vice Chairman of Scrutiny Committee. Council are therefore being asked to approve the back dating of Special Responsibility Payments in recognition of the work undertaken by these members.

5 Main Considerations

- 5.1 The revised composition of the Council (*not including the non-aligned members of which there are currently 3) is shown in the following table. Using 38 as the total number of voting places across all committees, the final column shows the total number of places each group is entitled to, using the calculated proportions.

Group Name	No of Cllrs in group	Percentage across the Council	Allocation of Seats over 4 Committees 38 seats	
			Decimal	Rounded no
Conservative	20	80	30.4	30
Opposition	5	20	7.6	8
Totals	25*	100%	38 seats	38 seats

5.2 The allocations set out in the table below show the allocation of seats to political groups (not including the non-aligned councillors) as agreed between the political groups **BEFORE THE REVISION TO THE POLITICAL BALANCE CALCULATION:**

Group Name	Audit & Standards	Planning	Scrutiny	Employment	TOTAL
Conservative	8 (8.07)	9 (8.88)	8 (8.07)	5 (5.65)	30
Opposition	2 (1.9)	2 (2.11)	2 (1.9)	2 (1.34)	8
Totals	10	11	10	7	38

5.3 The allocations set out in the table below show the allocation of seats to political groups (not including the non-aligned councillors) after the changes detailed in paragraph 4.1 and 4.2. **THE POLITICAL BALANCE CALCULATION REMAINS UNCHANGED AS BELOW:**

Group Name	Audit & Standards	Planning	Scrutiny	Employment	TOTAL
Conservative	8 (8.07)	9 (8.88)	8 (8.07)	5 (5.65)	30
Opposition	2 (1.9)	2 (2.11)	2 (1.9)	2 (1.34)	8
Totals	10	11	10	7	38

5.4 Group Leaders have provided notification of allocation of seats to members as detailed in Appendix A.

5.5 Appointment of Chairmen and Vice Chairmen

5.5.1 Nominations for Chair and Vice Chair from the Conservative Group Leader were circulated before the meeting for the following committees:

- a) Audit and Standards Committee
- b) Employment Committee
- c) Licensing Committee
- d) Planning Committee
- e) Scrutiny Committee

5.6 The Opposition Group Leader has also put forward an alternative nomination for Vice Chair of Scrutiny Committee.

6 Options Considered

6.1 The Council must review its political balance and allocation of seats as soon as practicable following a change to political groups in accordance with the legislation.

7 Consultation

7.1 The information presented in the report has been compiled in consultation with the Group Leaders.

8 Next Steps – Implementation and Communication

8.1 Training will be provided to the newly appointed members as appropriate.

9 Financial Implications

9.1 There are no financial implications arising from this report.

Financial Implications reviewed by: Director for Corporate Services

10 Legal and Governance Implications

10.1 The Council must allocate seats on committees so as to give effect to the political balance rules:

10.1.1 The allocation of seats shall conform to the principles of proportionality contained in sections 15 and 16 of the Local Government and Housing Act 1989. There is a duty to give effect to the following principles, as far as reasonably practicable, in the order shown:

- a) Not all the seats on the body are allocated to the same political group
- b) 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;
- c) Subject to (a) and (b) 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; and
- d) Subject to (a) to (c) 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.

For political balance, a group is required to have at least two members in order to be formally constituted as a political group.

10.2 The political proportionality rules that apply in allocating seats on Committees etc. set out in Section 15 and 16 of the Local Government and Housing Act 1989 apply only to political groups and not non-aligned (un-grouped) Members. Alternative arrangements not complying with section 15 and 16 of the 1989 Act may be made by virtue of Section 17 of the 1989 Act by passing a resolution with no member voting against the resolution.

10.3 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).

Legal Implications reviewed by: Monitoring Officer

11 Equality and Safeguarding Implications

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 this report.

13 Environmental and Climate Change Implications

13.1 There are no environmental changes arising from this report.

14 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	Failure to comply with statutory requirements regarding review of political balance could lead to the decisions of the Council being challenged on the grounds of procedural irregularity.	Significant	Critical	Medium Risk
2	Failure to comply with statutory requirements regarding review of political balance could result in reputational damage.	Significant	Critical	Medium Risk

Risk No	Mitigation
1	The report has been brought for Council consideration within a reasonable timeframe in order to avoid this risk
2	The report has been brought for Council consideration within a reasonable timeframe in order to avoid this risk

15 Background Papers.

15.1 There are no background papers.

16 Appendices

16.1 Appendix A: Committee Membership

16.2 Appendix B: Nominations for Chairman and Vice Chairman

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