



Political Balance and Allocation of Seats to Political Groups

Report Author:	Adam Green , Senior Democratic Services and Scrutiny Officer 01664 502319 agreeen@melton.gov.uk
Chief Officer Responsible:	Clive Tobin , Assistant Director for Governance and Democracy (Monitoring Officer) 01664 502541 ctobin@melton.gov.uk
Lead Member/Relevant Portfolio Holder	N/A

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 which alter the political balance between the Groups.

2 Recommendations

That Council:	
2.1	Approve the political balance calculation at paragraphs 5.2.1 – 5.2.3;
2.2	Approve the allocation of seats on the Committees as set out in paragraph 5.3.1 and Working Groups as set out in paragraph 5.4.1.
2.3	Receive nominations and make appointments to Committees and Working Groups as notified by the Group Leaders and set out in Appendices A and B;
2.4	Appoints non-aligned Members to their allocation of seats on Committees and Working Groups as set out in Appendices A and B.

3 Reason for Recommendations

- 3.1 In order to comply with legislative and constitutional requirements the Council must appoint its committees and review the allocation of seats in accordance with political balance rules.
- 3.2 To ensure that the council complies with its statutory obligations under the Local Government and Housing Act 1989 and associated Regulations.

4 Background

- 4.1 Councillor Malise Graham resigned as a Member of the Council on 10 April 2024. The by-election on 23 May 2024 resulted in the election of David Chubb.
- 4.2 On 7 June 2024, the Monitoring Officer was notified that Councillor David Chubb wished to be treated as a Member of the Conservative Group in accordance with Regulation 10 of the Local Government (Committees and Political Groups) Regulations 1990.
- 4.3 Separately to this on 28 May 2024, the Monitoring Officer was notified that Councillor Christopher Evans resigned from the Conservative Group and wished to be treated as an independent (non-aligned) Councillor.
- 4.4 Section 15 of the Local Government and Housing Act 1989 places the authority under a duty to review the allocation of seats to Political Groups as soon as practicable following specified changes to the membership of those groups.
- 4.5 The Council's duty is to determine the allocation of seats to be filled by appointments by the authority, except the Cabinet and the Licensing Committee established under the Licensing Act 2003. The purpose is to ensure that there is proportionality across the formal activities of those bodies of the Council, representing the overall political composition. It affects all panels, committees and subcommittees which discharge functions on behalf of the authority or advise the Council on the discharge of those functions.
- 4.6 The political proportionality rules that apply in allocating seats on Committees etc. set out in Section 15 and 16 of the 1989 Act apply only to political groups.
- 4.7 Independent (non-aligned) members are to form part of the calculation for political balance purposes.
- 4.8 It is a requirement that, once seats have been allocated to political groups, the remaining seats are offered by Council to the Independent (non-aligned) members.

5 Main Considerations

- 5.1 Political Balance
- 5.1.1 The follow Committees are political balanced:
- Planning Committee (11 seats)
 - Scrutiny Committee (10 seats)
 - Audit & Standards Committee (10 seats)
 - Employment Committee (7 seats)
 - Licensing Committee (Taxi and General) (10 seats)

5.1.2 The total number of seats available across all politically balanced committees is 48.

5.2 Revised Composition

5.2.1 The revised composition of the Council is shown in the following table.

Members	Number	%	Proportion of seats available	Rounded to
Conservative Group	10	35.71	17.14285714	17
Labour Group	6	21.43	10.28571429	10
Independent Group	9	32.14	15.42857143	15
Non-aligned	3			6

5.2.2 The political proportionality rules that apply in allocating seats on Committees, set out in Section 15 and 16 of the 1989 Act, apply only to political groups (i.e., 17 to the Conservative Group, 10 to the Labour Group and 15 to the Independent Group).

5.2.3 Once seats have been allocated to the political groups, the authority is then under a duty to allocate the remaining seats to Members who are not aligned to a political group.

5.3 Allocation of Seats

5.3.1 Using 48 as the total number of seats across all committees, the 'total row' shows the total number of places each group is entitled to for each committee, using the calculated proportions above.

Committee	Places	Conservative	Labour	Independent	Non-aligned
Planning	11	4	2	4	1
Scrutiny	10	4	2	3	1
Audit & Standards	10	3	2	3	2
Employment	7	3	2	2	0
Licensing (Taxi and General)	10	3	2	3	2
Total across all C'tees	48	17	10	15	6

5.3.2 With each group having been allocated seats in accordance with its total proportional entitlement, Group Leaders will provide notification of those members it wishes to be appointed to each Committee as detailed in Appendix A, before the meeting.

5.3.3 The remaining seats are then allocated to the non-aligned Members. The non-aligned Members have expressed their preferences for allocation of seats and these are detailed in Appendix A.

5.3.4 The outcome now requires the Council to make the following decisions:

- a) To confirm appointments of the Committees above and to that size of membership
- b) To allocate seats on the Committees as above to the three political groups

c) To appoint named non-aligned members to seats on the Committees

5.4 Outside Bodies and Working Groups

5.4.1 Whilst the following are not formal Committees, the terms of reference for these meetings do require the allocation of seats to be calculated in accordance with the political balance calculation. The allocation of seats are detailed in Appendix A.

Group Name	Joint Staff Working Group (7 seats)	Local Plans Working Group (9 seats)
Conservative	3	3
Labour	2	2
Independent	2	3
Non-aligned	0	1
Totals	7	9

6 Options Considered

6.1 The Council must review its political balance and allocation of seats at its annual meeting and as soon as practicable following prescribed changes to political groups in accordance with the legislation.

7 Consultation

7.1 The Group Leaders have been consulted on the information presented in this report and the appendices were compiled in consultation with them wherever possible.

7.2 Non-aligned members have also been provided with the information presented in this report.

8 Next Steps – Implementation and Communication

8.1 Any changes to membership of Committees will be reflected on the Council's website page for each Committee.

8.2 Any mandatory training requirements will be considered and arranged as necessary for respective members.

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 After a Member has notified the Monitoring Officer that they have joined a political group, the Council is, as soon as practicable, required to review its political balance, to allocate seats on specified bodies in accordance with that political balance, and appoint members to those bodies in accordance with the wishes of the Political Groups.

10.2 The Council must allocate seats on committees so as to give effect to the political balance rules unless there is a decision to the contrary with no member voting against.

- 10.3 The allocation of seats must 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.
- 10.4 For political balance, a group must have at least two members in order to be formally constituted as a political group.
- 10.5 The political proportionality rules that apply in allocating seats on Committees etc. set out in Section 15 and 16 of the 1989 Act apply only to political groups.
- 10.6 Where the Council has members who are non-aligned, section 15(3) of the Act has words inserted/modified by regulation 16 of the 1990 Regulations to read as follows:
- “15(3) Where at any time the representation of different political groups on a body to which this section applies falls to be reviewed under this section by any relevant authority or committee of a relevant authority, it shall be the duty of that authority or committee, as soon as practicable after the review to determine the allocation to each of those groups of such of the seats which fall to be filled by appointments made from time to time by that authority or committee as bear to the total of all of those seats the same proportion as is borne by the number of members of that group to the membership of the authority.”*
- 10.7 Additionally, where there are non-aligned members, section 16(2A) of the 1989 Act has effect. The Regulations also insert the following:
- “Where appointments fall to be made to seats on a body to which section 15 applies otherwise than in accordance with a determination under that section, it shall be the duty of the authority or the committee, as the case may be, so to exercise their power to make appointments as to secure that the persons appointed to those seats are not members of any political group”.*
- 10.8 The implications of these changes to paragraph 15(3) taken with section 16(2A) is to require that the Council must allocate seats to the political parties in accordance with the four principles set out above (10.3 a-d). If there are any seats left over, they must then make appointments to the non-aligned members.
- 10.9 Alternative arrangements for 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.
- 10.10 Once the allocation of seats has been agreed, the appointment of individual members will be given effect in accordance with the wishes of the relevant Group as expressed through the Group’s Leader / Deputy Leader in accordance with section 16 of the 1989 Act and Regulation 13 of the 1990 Regulations.

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 Data Protection Implications

12.1 A Data Protection Impact Assessments (DPIA) has not been completed for the following reasons because there are no risks to the rights and freedoms of natural persons.

13 Community Safety Implications

13.1 There are no community implications arising from this report.

14 Environmental and Climate Change Implications

14.1 There are no environmental or climate change implications arising from this report.

15 Other Implications (where significant)

15.1 There are no other implications arising from this report.

16 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	Failure to meet statutory and constitutional obligations.	Low	Critical	9

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant				
	3 Low			1	
	2 Very Low				
	1 Almost impossible				

Risk No	Mitigation
---------	------------

17 Background Papers.

17.1 There are no background papers.

18 Appendices

18.1 Appendix A – Committee Membership 2024/25, July 2024

18.2 Appendix B – Working Group Membership 2024/25, July 2024