



Review of Political Balance

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 an event that alters the political balance between the Groups.

RECOMMENDATION(S)

That Council:

1. Approve the political balance calculations at paragraph 4.1 of the report;
2. Approve the allocation of seats to Political Groups shown at paragraph 4.2 of the report.
3. Approve the election of Councillor Mel Steadman as Chairman to the Licensing Committee and Councillor Tejpal Bains as Vice Chairman to the Licensing Committee for the remainder of the Municipal Year 2020/21.

2 Reason for Recommendations

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

3 Background

- 3.1 The Monitoring Officer was notified that Councillor Simon Lumley had resigned from the Conservative Group on 22 June 2020. Councillor Lumley has confirmed that he will no longer be part of a group and will therefore be a non-aligned member.
- 3.2 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.
- 3.3 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 sub-committees which discharge functions on behalf of the authority.
- 3.4 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 Main Considerations

- 4.1 The revised composition of the Council (not including the non aligned members of which there are currently 2) 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	76.92%	29.23	29
Opposition	6	23.08%	8.77	9
Totals	26	100%	38 seats	38 seats

- 4.2 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 or Non-aligned	Audit & Standards	Planning	Scrutiny	Employment	TOTAL
Conservative	8 (7.78)	9 (8.56)	8 (7.78)	5 (5.44)	30
Opposition	2 (2.22)	2 (2.44)	2 (2.22)	2 (1.56)	8
Totals	10	11	10	7	38

4.3 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 AFTER THE REVISION TO THE POLITICAL BALANCE CALCULATION:

Group Name	Audit & Standards Revised	Planning Revised	Scrutiny Revised	Employment Revised	TOTAL
Conservative	8 (7.69)	8 (8.46)	8 (7.69)	5 (5.38)	30
Opposition	2 (2.31)	3 (2.54)	2 (2.31)	2 (1.62)	8
Totals	10	11	10	7	38

4.4 The only amendment to the allocation of seats as a result of the change is that the Conservative Group has lost one seat on the Planning Committee and the Opposition Group gains this seat. The Leader of the Opposition Group may appoint to this seat.

4.5 A consequential result of Councillor Lumley resigning from the Conservative Group is that he will no longer sit on the Licensing Committee, nor the Audit and Standards Committee as substitute. These seats remain Conservative seats and therefore the Leader of the Conservative Group may appoint a member to take these seats. However, Councillor Lumley was appointed Chairman of the Licensing Committee at Annual Council in May 2020. Council are therefore requested to appoint a new Chairman for the Licensing Committee from its current membership confirmed below:

- Councillor Mel Steadman (Vice-Chair)
- Councillor Tejpal Bains
- Councillor Pru Chandler
- Councillor Pat Cumbers
- Councillor Steven Carter
- Councillor Alison Freer-Jones
- Councillor Margaret Glancy
- Councillor Pam Posnett MBE
- Councillor Donald Pritchett
- Vacancy (Conservative)

5 Options Considered

5.1 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.

6 Consultation

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

7 Next Steps – Implementation and Communication

7.1 The Opposition Group Leader will appoint a member of his Group to the Planning Committee and advise Democratic Services of the appointment.

8 Financial Implications

8.1 There are no financial implications arising from this report.

Financial Implications reviewed by: Director for Corporate Services

9 Legal and Governance Implications

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

9.1.1 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.

9.2 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**.

9.3 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

10 Equality and Safeguarding Implications

10.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

11 Community Safety Implications

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

12 Environmental and Climate Change Implications

12.1 There are no environmental changes arising from this report.

13 Other Implications (where significant)

13.1 There are no other implications 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	Marginal	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 There are no appendices.

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