

North East Derbyshire District Council

Annual Council

26 May 2015

Calculation of Political Balance and Allocation of Committee Seats

Report of the Assistant Director – Governance and Monitoring Officer

This report is public

Purpose of the Report

- To review and approve the allocation of seats on committees in accordance with the statutory requirements concerning political balance.

1 Report Details

1.1 Under Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations, the Council has a duty to review the representation of different political groups at its annual meeting in respect of its committees. The Section does not apply to the Council's Cabinet or to working groups, both of which are exempt from political balance. Section 15 of the Act provides that in performing this duty the Council has a duty to make only such determinations as give effect **so far as reasonably practicable** to the following principles:

- a) That not all the seats on the body are allocated to the same political group;
- b) That the majority of seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- c) Subject to a) and b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of the authority as is borne by the number of members on that group to the membership of the authority; and
- d) Subject to a) and c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all seats on that body as is borne by the number of members of that group to the membership of the authority.

1.2 Following the elections held on 7 May 2015 the political balance of the authority is:

Labour Group	-	34
Conservative Group	-	18
Independent	-	1

- 1.3 For the purposes of calculating the entitlement of each political group to seats on committees, it is proposed that the following ordinary committees be included:

Audit and Corporate Governance Scrutiny Committee
Communities Scrutiny Committee*
Growth Scrutiny Committee*
Licensing Committee
Organisation Scrutiny Committee*
Planning Committee
Standards Committee

* - Names are based on the assumption that the report regarding the new scrutiny committees is approved.

- 1.4 In addition, political balance applies to those joint committees to which the authority appoints at least three members. It is proposed therefore that the following joint bodies be included in the political balance calculations:

ICT Shared Services Committee (three members)
Joint Crematorium Committee (four members)
Shared Services Scrutiny Committee (three members)
Strategic Alliance Joint Committee (nine members)

- 1.5 Alternative arrangements for appointments to these committees can be approved provided no member of the Council votes against them.

- 1.6 Subject to Council appointing the committees as set out above, and agreeing the sizes of committees described below, the total number of seats on all committees available this year is proposed to be **97**.

- 1.7 In order to calculate the number of seats each group is entitled to, a number of calculations are made. First, the number of seats each group holds is divided by the total number of seats on the Council (53) and multiplied by 100 to give the total membership of each group expressed as a percentage:

Labour Group	-	$34 / 53 \times 100 = 64.15\%$
Conservative Group	-	$18 / 53 \times 100 = 33.96\%$
Independent	-	$1 / 53 \times 100 = 1.89\%$

- 1.8 Then, the number of seats available across the committees and joint committees (97) are multiplied by the Group's membership expressed as a percentage.

Labour Group	-	$97 \times 64.15\% = 62.23$ (rounded down to 62)
Conservative Group	-	$97 \times 33.96\% = 32.94$ (rounded up to 33)
Independent	-	$97 \times 1.89\% = 1.83$ (rounded up to 2)

Total	-	97 seats
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- 1.9 Although a single member is not entitled to any allocation of seats under the Regulations, political groups are not entitled to have more than their allocated share of seats. It is at the Council's discretion how the remaining two seats are filled by a councillor not in a group. The legislation is often interpreted that a single member is

entitled to fair representation. Any decision not to allocate seats to the single member would need to be made with no member of Council voting against.

1.10 It is proposed that the allocation of seats to committees be as follows:

Committee	Labour	Conservative	Independent	Total
Audit and Corporate Governance Scrutiny	6	3		9
Communities Scrutiny	6	3		9
Growth Scrutiny	6	3		9
ICT Shared Services	2	1		3
Joint Crematorium	3	1		4
Licensing	9	5	1	15
Organisation Scrutiny	6	3		9
Planning	10	7	1	18
Shared Services Scrutiny	2	1		3
Standards	6	3		9
Strategic Alliance Joint Committee	6	3		9
Total	62	33	2	97

1.11 These totals reflect **as far as is reasonably practicable** the aggregate entitlement of the political groups to committee seats.

1.12 Finally, Council is asked to note that, in accordance with the Constitution, all other non-executive members of the both groups will be substitutes on Planning Committee. All substitutions **must** be notified in writing to the Governance Manager by 12noon on the day of Planning Committee and all substitutes are strongly recommended to undergo Council provided training on planning issues.

2 Conclusions and Reasons for Recommendation

2.1 To advise Council of the allocation of seats to committees prior to appointment of members to those seats.

3 Consultation and Equality Impact

3.1 This report has been written in conjunction with the political group leaders and the Independent councillor.

4 Alternative Options and Reasons for Rejection

4.1 As set out in paragraph 1.9 of the report.

5 Implications

5.1.1 None.

6 Recommendations

6.1 To agree the allocation of seats to political groups and size of committees as set out in paragraph 1.10 of this report.

- 6.2 To note the substitution arrangements in respect of Planning Committee as set out in paragraph 1.12.

7 **Decision Information**

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	None

8 **Document Information**

Appendix No	Title
N/A	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
N/A	
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