

<b>ANNUAL COUNCIL</b>	AGENDA ITEM No. 9
<b>26 MAY 2021</b>	<b>PUBLIC REPORT</b>

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

## **POLITICAL BALANCE AND ALLOCATION OF COMMITTEE SEATS**

<b>RECOMMENDATIONS</b>	
<b>FROM:</b> <i>Director of Law and Governance</i>	<b>Deadline date:</b> <i>N/A</i>
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> <li>1. Notes that there are 109 seats on committees</li> <li>2. Agrees the allocation of seats on those committees subject to political balance arrangements (<b>Appendix 1</b> to be tabled).</li> <li>3. Agrees the allocation of seats on those committees not subject to political balance arrangements (<b>Appendix 2</b> to be tabled).</li> </ol>	

### **1. PURPOSE AND REASON FOR REPORT**

- 1.1 The purpose of this report is to consider the impact on the political balance of the Council, following the results of the local elections in May 2019.

### **2. ALLOCATION OF SEATS TO POLITICAL GROUPS**

- 2.1 Section 15 of the Local Government and Housing Act 1989 imposes a duty on the City Council at its Annual meeting to review the allocation of seats on its committees between political groups. The section does not apply to the statutory Licensing Committee or Health and Wellbeing Board and so the political balance rules are not applied to these (**Appendix 2** to be tabled).
- 2.2 Political Groups are allocated seats proportionate to their size, subject to the majority group being first given a majority of seats on the committees.

### **3. NUMBER OF SEATS ON COMMITTEES**

3.1 In order to allocate seats, the Council must first decide the total number of seats on each committee. For the purpose of calculating the entitlement of each political group to seats on committees, it is proposed that the following be included:

Committee	Seats
Growth, Environment and Resources Scrutiny Committee	11
Adults and Communities Scrutiny Committee	11
Health Scrutiny Committee	11
Children and Education Scrutiny Committee	11
Employment Committee	7
Licensing Committee (Regulatory)	11
Planning and Environmental Protection Committee	11
Appeals and Planning Review Committee	11
Corporate Parenting Committee	11
Audit Committee	7
Constitution and Ethics Committee	7
<b>TOTAL</b>	<b>109</b>

#### 4. POLITICAL PROPORTIONALITY

4.1 Once it has decided the number and size of committees, Council needs to decide how many seats each group is to have on its committees. In accordance with the legislation, the following principles should apply to the allocation of seats as far as reasonably practicable:

- 1) That not all the seats on the body to which appointments are being made are allocated to the same political group;
- 2) That the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- 3) Subject to (1) and (2) above, when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
- 4) Subject to (1) to (3) above, that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.

4.2 The political balance of the Council can be calculated by using the following formula.

$$\frac{\text{No of Group Members} \times 100}{60}$$

4.3 Following the above changes to Groups numbers, the political balance of the Council is as follows:

Group	Conservative	Labour	Lib Dems	Werrington First	Green	Total
Councillors (in Groups)	29	17	8	3	3	60
Proportionality %	48.33%	28.33%	13.33%	5%	5%	100%

4.4 The calculation to determine the strict entitlement of political groups to seats on committees is:

$$\frac{\% \text{ from table 1}}{100} \times \frac{\text{Total No of seats available (109) – see above}}{100}$$

## 5. APPLYING THE RULES

5.1 The majority of seats on each committee has to be allocated to the political group that forms the majority of the authority's membership to comply with the second principle (paragraph 4.1(b)). Under the current structure there are committees of 7 members and 11 members. To ensure compliance with s15 of the Local Government and Housing Act 1989, the majority group has to be allocated:

- 1) 4 of the 7 seats for committees of 7
- 2) 6 of the 11 seats for committees of 11

5.2 Once the seats have been allocated to the majority group, the remainder will need to be shared out proportionately across the committees to ensure that the third principle (paragraph 4.1(c) above) is applied. The fourth principle is then applied to ensure that the seats then allocated are not unfairly weighted. A Group's seat on a committee will be allocated automatically in terms of whole numbers.

5.3 The allocations of seats between the political groups for each committee are set out in **Appendix 1** (to be tabled) based on a total of 109 seats. This allocation as outlined is the current political make-up of all the committee's concerned.

## 6. APPOINTMENTS EXEMPTED FROM POLITICAL BALANCE

6.1 Some Committees are automatically exempt from the internal political balance rules. These Committees are as follows:

- The Licensing Committee (Licensing Act 2003); and
- The Health and Wellbeing Board.

6.2 These Committees have statutory exemption from the political balance calculations. As agreed at the Annual Council meeting the membership of the Licensing Committee (Licensing Act 2003) reflects the same membership as the Licensing Committee (Regulatory). The Health and Wellbeing Board has a prescribed membership.

## 7. IMPLICATIONS

### Financial Implications

7.1 There are no direct financial consequences arising from this report.

## **Legal Implications**

- 7.2 All the relevant legal implications are addressed within the report.

## **Equalities Implications**

- 7.3 There are no equalities implications arising from this report.

## **8. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 8.1 Peterborough City Council's Constitution

## **9. APPENDICES**

- 9.1 **Appendix 1** – Allocations of seats on committees subject to political balance (to be tabled)
- 9.2 **Appendix 2** – Allocation of seats on committees not subject to political balance (to be tabled)