

**Open Report on behalf of Richard Wills, Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>19 May 2017</b>
Subject:	<b>Political balance on committees and sub-committees and allocation of places to political groups</b>

**Summary:**

There is a duty to review political balance on committees and sub-committees and allocation of seats to political groups at the annual meeting of the Council. Since the last review in May 2016, the political make-up of the Council, its committee structure and the size of the Council have all changed.

**Recommendation(s):**

- 1) That Council notes the reduction in the number of councillors on the Council from 77 to 70.
- 2) That Council notes the changes in the political make-up of the Council following the election on 4 May 2017.
- 3) That Council notes the changes to the committee structure since the last review.
- 4) That Council adopts the political balance of committees and sub-committees to be circulated with the Council Order of Proceedings.

## **1. Background**

1.1 The Council is required by the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (as amended) to review the allocation of seats to political groups on committees and sub-committees. Under the Council's Constitution the composition of committees and sub-committees is the responsibility of the full Council. This was last reviewed at the annual meeting of Council on 20 May 2016 when the Council had a membership of 77 councillors.

1.2 A review of electoral division boundaries in Lincolnshire by the Local Government Boundary Commission for England (LGBCE) has resulted in the number of councillors being reduced to 70.

1.3 A review of the scrutiny arrangements on the County Council has resulted in changes to the committee structure. Elsewhere on the agenda there is a proposal for a further amendment to the structure with the replacement of one scrutiny

committee with two other scrutiny committees and changes to the number of members of other scrutiny committees.

1.4 Proportionality is based not on political parties but on political groups. A political group is simply a grouping of elected members which has been validly formed under the `1990 Regulations and consists of those elected members who have been validly notified as being a member of that group. A political group cannot have fewer than two members and an elected member cannot be a member of more than one political group. Following the County Council election the political groups on the Council have changed and at the time of writing this report the political groupings were as follows:

<b>Political Group</b>	<b>Number of Councillors</b>
Conservative	58
Labour	6
Independent	4

1.5 At the time of writing this Report there are two elected members who do not belong to a political group.

1.6 Under Regulation 16 of the 1990 Regulations, where some of the members of the relevant authority fall to be treated as members of one or more political groups and the others do not the Council's obligations are as follows

- To determine the allocation to each of the political groups of such of the seats that fall to be filled as bears to the total of all seats the same proportion as the number of members of that group bears to the membership of the authority; and
- To secure that persons appointed to any seats that do not fall to be allocated to a political group under the above requirement are not a member of a political group

There are 127 seats that fall to be filled by the Council. The Table below sets out the political groups, the number of councillors and the proportion of the total membership of the authority that belong to that group. Using that percentage the final column of the Table shows the number of seats that the Council can allocate to each of the political groups.

<b>Political Group</b>	<b>Number of Councillors</b>	<b>%</b>	<b>Number of seats</b>
Conservative	58	82.86	105
Labour	6	8.57	11
Independent	4	5.71	7

The remaining seats (four in number) cannot be allocated to the political groups and must be allocated to the members who are not members of a political group.

1.7 In allocating seats on politically balanced committees and sub-committees to political groups as set out above the Council must only make such determinations as give effect, so far as reasonably practicable, to the following principles (in the order shown)

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

In applying principles c) and d) above the proportion of members of a group to the membership of the Council is calculated using the % above. The legal entitlements for all the political groups, applying the above principles, will be attached as an appendix to the Council's Order of Proceedings. There will be alternatives provided to take account of the proposal to change the number of scrutiny committees and the numbers of their members.

1.8 It is the duty of the Council having allocated seats on the committees and sub-committees of the Council to the political groups to make appointments to those seats in accordance with the wishes of the group. If the group fails to express its wishes within three weeks beginning with the day it is notified of its allocation of seats by the proper officer the Council may make such appointment to that seat as it sees fit.

## **2. Conclusion**

It is a matter for the Council to allocate seats on committees and sub-committees to the political groups on the Council, which it must do in accordance with the law relating to proportionality.

### **3. Legal Comments:**

Council is required to allocate seats on the Committees of the Council to political groups in accordance with the law relating to proportionality as set out in the Report.

The decision is within the remit of the Council.

**4. Resource Comments:**

There are no material financial implications arising from acceptance of the recommendations in this report.

**5. Consultation****a) Has Local Member Been Consulted?**

n/a

**b) Has Executive Councillor Been Consulted?**

Yes

**c) Scrutiny Comments**

n/a

**d) Policy Proofing Actions Required**

n/a

**6. Appendices**

n/a

**7. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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