

**Open Report on behalf of Andrew Crookham, Executive Director -
Resources**

Report to:	County Council
Date:	26 June 2020
Subject:	Political balance on committees and sub-committees and allocation of places to political groups

Summary:

Councillors are required to consider an added member vacancy on both the Children and Young People Scrutiny Committee and the Overview and Scrutiny Management Board and determine whether it should be filled. Subject to that decision and also taking into account the death of Councillor C L Strange, councillors are required to agree the political balance on committees and sub-committees and allocation of places to political groups.

Recommendation(s):

- 1) That Council removes the Roman Catholic Church representative seat from the Children and Young People Scrutiny Committee and Overview and Scrutiny Management Board.
- 2) That, subject to 1 above, Council adopts Appendix A, attached to the Order of Proceedings for this meeting, as the political balance of committees, sub-committees and outside bodies and allocation of places to political groups.

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 places 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 in September 2019.
- 1.2 On 28 May 2020 the Council lost one of its most senior councillors with the death of Councillor Lewis Strange, the elected member for Market Rasen Wolds. His death, and the postponement of elections and by-elections until

6 May 2021, has reduced the membership of the Council to 69, with one vacancy.

- 1.3 In addition, an added member vacancy has arisen on the Children and Young People Scrutiny Committee and Overview and Scrutiny Management Board following the resignation of the Roman Catholic Church representative Mr Stephen Rudman, due to ill health.
- 1.4 As there are no longer any Roman Catholic Church Schools maintained by the County Council there is no legal requirement for a Roman Catholic Church representative to sit on the Children and Young People's Scrutiny Committee or the Overview and Scrutiny Management Board.
- 1.5 It is therefore recommended that the seat is removed from both committees.
- 1.6 In achieving political proportionality *as far as reasonably practicable* the 1989 Act requires the Council to apply certain principles **in order** as follows:
 - Not all the seats on the committee are allocated to the same group
 - The majority of the seats on the 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
 - The number of seats allocated to a political group on the committees of the Council bears the same proportion to all the seats on such committees as the membership of that group bears to the membership of the Council as a whole and
 - The number of seats allocated to a political group on an individual committee bears the same proportion to the number of all the seats on that committee as the membership of that group bears to the membership of the Council as a whole
- 1.7 For the purposes of the last two bullet points in paragraph 1.6 the membership of each group must be compared to the membership of the Council to establish the correct proportion to be used in the allocation of seats. Under Schedule 1 of the 1989 Act membership means the number of persons who are members for the time being of the authority. The number of members at the time of this decision is therefore 69 and it is this number that has been used in the calculation of the proportion to be used in deciding on allocation.
- 1.8 Under Regulation 16 of the 1990 Regulations, where some of the members of the relevant authority are members of one or more political groups and the others are not, the Council's obligations are as follows:
 - i) To determine the proportion of the total membership of the Council who are members of one or more political groups and ensure that the same proportion of the total number of seats to be filled is allocated to each of the political groups in the proportion that the number of members of that group bears to the membership of the authority; and

- ii) 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.

A political group must have at least two members – i.e there cannot be a group of one.

- 1.9 The impact of the current membership referred to above is shown in the table below (the references to Lincolnshire Independents and Liberal Democrats in the table below and in Appendix A are references to the member's political party and not a reference to a political group):

	13 September 2019 (Council)		26 June 2020 (Now)	
	Members	%	Members	%
Conservative	56	80.0%	55	79.71%
Labour	6	8.57%	6	8.70%
Independents	5	7.14%	5	7.25%
Lincolnshire Independents	1		1	
Liberal Democrats	1		1	
Independent unaligned	1		1	
Vacancy			1	

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

	Conservative	Labour	Independent
Members	55	6	5
Percentage	79.71%	8.70%	7.25%
Seats	101	11	9

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

- 1.12 Five of those seats are currently occupied by the three members who are not members of a political group. Councillors M Overton and M Boles occupy two seats each and Councillor R Foulkes occupies one seat.

1.13 To satisfy the requirement for the sixth seat to be allocated to a councillor who is not a member of a political group it is recommended that Cllr R Foulkes be allocated one of the seats occupied by the late Councillor C L Strange. The seat to be allocated will be reflected in the proportionality spreadsheet attached to the Order of Proceedings for this meeting.

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 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

These are listed below and attached at the back of the Order of Proceedings for this meeting.

Appendix A	Allocation of places to political groups
------------	--

7. Background Papers

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

This report was written by Nigel West, who can be contacted on 07880 500844 or nigel.west@lincolnshire.gov.uk.

This page is intentionally left blank