



Annual Meeting of the Council – 27 May 2015

Membership of Political Groups on the Council, Political Balance and Entitlement to Seats

Purpose of report

To consider the constitution of political groups on the council and to detail the methods employed in calculating entitlement to seats on committees of the council.

1.0 Background

1.1 Section 15 of the Local Government and Housing Act 1989 places on local authorities the duty to allocate seats to political groups and set out the principles to be followed when determining such allocation. The main principles, which must be satisfied sequentially, include:

- a) That the number of seats on ordinary Committees/Bodies ... which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority, as is borne by the number of Members of that group to the membership of the Authority (i.e. the allocation of the TOTAL number of seats available must mirror the political composition of the council).
- b) That the number of seats on the Body (Committee, etc.), 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 (i.e. the allocation of seats on INDIVIDUAL committees must mirror the political composition of the council).

1.2 Local authorities are able to depart from the statutory provisions where there is unanimous agreement to do so.

1.3 Those members not in a political group are entitled to a due share of seats, although the Council will decide who fills them.

1.4 In line with the provisions of the council's Constitution, appointments will be made to committees of the council and outside bodies at this annual meeting. This report confirms the entitlement to seats on committees.

2.0 Political Groups

2.1 The Proper Officer has received formal notification, under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, of the establishment of two political groups in operation on the council, namely:-

Name	Designated Leader and Deputy Leader (number of Members)
Conservative Group	Appointment of Leader and Deputy Leader will be reported to the meeting – 37 members
Independent Group	Richard Gell (Leader) and Val Carter (Deputy Leader) – 2 members

2.2 Councillor John Farrar is unaffiliated to a group and does not currently belong to a political group and for the purpose of this report, Councillor Farrar is referred to as a non-aligned councillor.

3.0 Allocation of Seats

3.1 The allocation process must be applied 'so far as is reasonably practicable' to achieve a balanced outcome. Application of principle (a) in paragraph 1.1 of this report, relating to the TOTAL numbers of seats, gives the following:-

Committee	Number of Seats Available:
Policy and Resources	15
Planning Policy	15
Development Control	18
Licensing	12
Scrutiny	11
Governance and Audit Committee	7
TOTAL	78

3.2 The allocation of the 67 seats to the two political groups is determined by the following formula:

$$\frac{\text{Number of Members of Political Group}}{\text{Total number of members of the Council}} \times \text{Number of Seats to be allocated}$$

For the 78 seats available this gives:

• Conservative	72
• Independent	4
TOTAL	76

This calculation leaves two seats unallocated which must be offered to the non-aligned councillor.

3.3 Application of principle (b) in paragraph 1.1 of this report, relating to the number of seats on INDIVIDUAL committees, gives the following:-

	Policy and Resources (15)	Planning Policy (15)	Development Control (18)	Licensing (12)	Scrutiny (11)	Governance and Audit (7)	TOTAL
Conservative	14	14	17	11	10	6	72
Independent	1	1	1	1	1	0	5

This calculation leaves one seat unallocated which must be offered to the non-aligned councillor.

3.4 There is a difference of one seat for the Independent Group between the two calculations. In such circumstances, the council should seek to follow the calculation for the total number of seats available. Consequently, the council will need to determine to give the non-aligned member a seat on two of the committees above in order for balance to be achieved.

3.5 The Joint Standards Complaints Committee is a joint committee comprising seven members of East Northamptonshire Council and seven members drawn by election from the town and parish councils in the district. There is no requirement for the seats available to East Northamptonshire Council to be allocated according to the principle of political balance. Consequently nominations will be required and a vote taken to determine this council's entitlement of membership on the committee.

3.6 Appointments to sub-committees will be made by the parent committee and will be drawn from the parent committee whilst having regard to the requirement for political balance.

3.7 There is no requirement for working parties to be politically balanced.

4.0 Equality and Diversity Implications

4.1 There are no equality and diversity implications arising from the recommendations within this report.

5.0 Legal Implications

5.1 The council must comply with the requirements of the Local Government (Committees and Political Groups) Regulations 1990, which provide for the political make up of the council to be reflected on all committees. There are no local provisions within the council's constitution governing the allocation of seats beyond determining the number of seats on committees.

6.0 Risk Management

6.1 By having regard to the detail of the report above in respect of meeting statutory requirements, any risk implications will have been mitigated. Consequently there are no identified risks to be borne in mind in respect of the recommendations.

7.0 Resource and Financial Implications

7.1 There are no resource or financial implications directly arising from the recommendations.

8.0 Constitutional Implications

8.1 The council should have regard to the constitutional provisions for the size of its committees when determining the allocation of seats. The council has also previously resolved that members of its policy committees and sub-committees should not sit on either the Governance and Audit Committee or the Scrutiny Committee.

9.0 Corporate Outcomes

9.1 The council's committees enable the decision making process to function and provide strategic direction which in turn contributes to the delivery of all of the corporate outcomes.

10.0 Recommendations

10.1 That the operation of two political groups on the Council and the details of their designated Leaders be noted.

10.2 That the entitlement of the membership of the political groups be agreed and that such entitlements have been reflected in the proposed appointments to Committees.

Legal	Power: Local Government & Housing Act 1989				
	Local Government (Committees and Political Groups) Regulations 1990				
Other considerations: The Constitution of the Council					
Background Papers:					
Person Originating Report: James McLaughlin, Democratic and Electoral Services Manager ☎ 01832 74(2113) ✉ jmclaughlin@east-northamptonshire.gov.uk					
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CFO		MO		CX	