

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Christine Marshall – Deputy Chief Executive - Corporate Development and S151 Officer

To: South Holland District Council Wednesday, 24 November 2021

(Author: Rhonda Booth Democratic Services Manager)

Subject Political Group Regulations

Purpose: To confirm, in accordance with the Local Government (Committees and Political Groups) Regulations 1990, amended Political Balance calculations

Recommendation(s):

- 1) That the Council agree changes to the political balance of Committees.

1.0 BACKGROUND

Legal Position

- 1.1 The Local Government and Housing Act 1989 (“the Act”) provides that the default position for appointments to committees is on a politically proportionate basis. At each Annual Council Meeting the Council must consider whether any changes to committee membership are required in order to main political proportionality.
- 1.2 Section 15 of the Act and Regulation 17 of the Local Government (Committees and Political Group) Regulations 1990 together also require a review of seat allocation to different political groups as soon as is practicable after there is delivered to the proper officer a notice under Regulation 9(b) of the Regulations stating that a member wishes to join a political group.
- 1.3 On 1st October Councillor Bingham joined the Conservative Group and therefore a review of political group seats must be undertaken as soon as practicable.

Current Situation

- 2.0 Currently the Conservative Group has taken 55 seats out of an allocated 58. The Independent Group has 32 seats out of an allocated 33, and the non-aligned member has 4 seats. There is one vacant seat on Governance and Audit committee.
- 2.1 The Controlling Group has historically not taken up its full allocation of seats on the Performance Monitoring Panel and as a result the Council has allocated those vacant seats to members of the Independent Group and the non-aligned member. The Conservative Group also gave one of their seats on the Policy Development Panel to the non-aligned member.

- 2.1 The situation has changed since full Council in May 2021 as the two joint Appointment/Disciplinary Committees with Breckland no longer exist and one of the two Employment Committees that replaced those Committees has 1 fewer seat, reducing the total number of seats from 93 to 92.

Calculations

- 3.0 The starting point is to calculate the total allocation of seats across all committees and sub-committees to which the Political Regulations apply as follows.

- There are currently 92 seats in total.
- Conservative Group percentage is $24/37 \times 100 = 64.86\%$ which gives 59.67 seats rounded up to 60 seats
- Independent Group percentage is $12/37 \times 100 = 32.432\%$ which gives 29.8 seats rounded up to 30 seats
- That leaves two seats not allocated to a political group. Under Regulation 16(3) these 'spare' seats are allocated to non-aligned members (i.e. Councillor McLean)

- 3.1 We then move on to calculating the allocation of seats for each Committee and Sub-Committee to which the political group regulations apply. This calculation gives a slightly different result, due to rounding up and rounding down, as follows:

- Conservative Group – 61 seats in total across 92 seats
- Independent Group – 30 seats in total across 92 seats
- Non-aligned 1 seat.

- 3.2 As the total figure arising from the individual committee calculations (61) is larger than the overall figure allowed (60) the Conservative Group must allocate 1 of their seats to the non-aligned member.

- 3.3 Group Leaders have been requested to submit details of amended appointments to Committees in time for the Council meeting.

4.0 EXPECTED BENEFITS

- 4.1 Implementing the necessary changes will ensure compliance with the law and will allow the Council to continue to undertake its business.

5.0 IMPLICATIONS

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

5.1 Constitutional & Legal

5.1.1 The operation of committees and sub-committees and the appointment of members to outside bodies are dealt with in the Constitution and in law (Local Government Act 1972, Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990).

5.2 Stakeholders / Constitution / Timescales

5.2.1 Appointments to committees and sub-committees, and outside bodies, reflect the wishes of the relevant political group/group leader.

Background papers:-

Lead Contact Officer

Name and Post: Rhonda Booth Democratic Services Manager

Telephone Number

Email: rbooth@sholland.gov.uk

Key Decision: N

Exempt Decision: N

This report refers to a Mandatory Service

Appendices attached to this report:

Appendix A Political Balance Calculations