



SHEFFIELD CITY COUNCIL Report to Council

Report of: Deputy Chief Executive

Date: 6th July 2011

Subject: Proportional Allocation of Seats on Council Committees – Update

Author of Report: Paul Robinson – Head of Democratic Services (Council & Members)

Summary:

This report outlines the requirements set out in the Local Government and Housing Act 1989 to allocate seats on Council Committees to political groups on a politically proportionate basis and provides an update on the position agreed at Annual Council on 18th May 2011.

Recommendations:

That the Council:-

- (1) Notes the application of the political proportionality framework as set out in the report.
 - (2) Agrees that, in order to ensure that each group has the required number of seats overall in comparison to the total number of seats available on all Committees to reflect their composition on the Council as a whole, the two seats allocated to the former Independent Member be now recognised as belonging to the Labour Group; and
 - (3) Determines that political proportionality be reviewed in December each year to reflect any changes to the political composition of the Council occurring since the Annual Meeting of the Council each May.
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Background Papers:

18/05/11 Report to Council - Proportional Allocation of Seats on Council Committees

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
NO Cleared by:
Legal implications
YES Cleared by: Lynne Bird
Equality of Opportunity implications
NO
Tackling Health Inequalities implications
NO
Human rights implications
NO
Environmental and Sustainability implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
ALL
Relevant Scrutiny Board if decision called in
N/A
Is the item a matter which is reserved for approval by the City Council? YES
Press release
NO

PROPORTIONAL ALLOCATION OF SEATS ON COUNCIL COMMITTEES

1. INTRODUCTION

- 1.1 This report outlines the requirements set out in the Local Government and Housing Act 1989 to allocate seats on Council Committees to political groups on a politically proportionate basis and provides an update on the position agreed at Annual Council on 18 May 2011.
- 1.2 The Council is asked to agree the adjustment of seats proposed in paragraph 5.5, to ensure that each group has the required number of seats overall in comparison to the total number of seats available on all Committees to reflect their composition on the Council as a whole.
- 1.3 Alternative arrangements in not applying strict political proportionality can be put in place provided Council gives unanimous support without any Member dissenting from that approach.

2. POLITICAL BALANCE

- 2.1 The political balance requirements of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 apply on the whole with some limited exceptions to any committees and sub-committees established under the Constitution. They also apply to the Scrutiny Committees, which are treated as committees for the purposes of the Local Government Act 2000. The allocation of seats on committees must be in the same proportion as the number of members of the group bears to the membership of the Authority as a whole. The political balance rules do not apply to the Executive (Cabinet) or the Shadow Cabinet, nor the Licensing and Standards Committee or its Sub-Committees. In addition, Community Assemblies are established as formal Area Committees under the Local Government Act 2000 and this is similarly exempted.
- 2.2 The Council has a duty when allocating or reviewing the allocation of seats on committees to give effect so far as is reasonably practicable to the following four principles:-
 - (i) all the seats are not allocated to the same political group;
 - (ii) the majority of the seats go to the political group in the majority on the full Council;
 - (iii) subject to the above two principles, the total number of seats on the ordinary committees of the Authority are allocated to each political group in the same proportion as the group's representation on the full Council; and
 - (iv) subject to the above three principles, the number of seats on each committee are allocated to each political group in the same proportion as the group's representation on the Council.

3. POSITION AGREED AT ANNUAL COUNCIL

At its annual meeting on 18 May 2011, the Council agreed the following in respect of the proportional allocation of seats on Council Committees:-

RESOLVED: On the Motion of Councillor Pat Midgley, seconded by Councillor Clive Skelton, that the City Council:-

- (a) notes the political proportionality framework and the illustrative example of how this might be applied, as set out in the report circulated with the agenda for this meeting;*
- (b) (i) approves the sizes of individual Committees to be subject to proportional balance and the initial allocation of seats to political groups on individual Committees before final adjustment, as set out in the report; (ii) agrees that, in order to ensure that each political group has the required number of seats overall in comparison to the total number of seats available on Committees to reflect their composition on the Council as a whole, (A) the Labour Group's adjustments of three seats be from the Children, Young People and Family Support Scrutiny Committee, the Safer and Stronger Communities Scrutiny Committee and the Licensing Committee, with the seats on the Scrutiny Committees being allocated to the Green Group and the seat on the Licensing Committee being allocated to the Independent Member and (B) the Liberal Democrat Group's adjustments of two seats be from the Safer and Stronger Communities Scrutiny Committee and the Admissions Committee, with the seat on the Scrutiny Committee being allocated to the Independent Member and the seat on the Admissions Committee being allocated to the Green Group; and (iii) approves the appointment of Members to reflect the wishes of the political groups in accordance with the schedule circulated at the meeting and including substitutes where appropriate;*
- (c) agrees to disapply proportionality to the Senior Officer Employment Sub-Committees and the Appeals and Collective Disputes Sub-Committees, for the reasons set out in paragraph 3.2.4 of the report;*
- (d) agrees that the existing terms of reference of all Committees be as set out in the Constitution, subject to the Scrutiny Committees' terms of reference being revised as described in paragraph 3.1.2 and Appendix 3 of the report, and authority be given for the Constitution to be amended accordingly; and*
- (e) notes that the effect upon the budget for Members Allowances of the reduction in the number of Scrutiny Committees and consequent reduction of a Special Responsibility Allowance for a Chair of Scrutiny Committee, is a saving of £7,509.32.*

Full details of the sizes of individual committees subject to proportional balance and the proportional seat allocations to Political Groups and Independents agreed at the meeting (including the final adjustments which were required) can be found at **Appendix 1**.

4. CHANGES SINCE ANNUAL COUNCIL

4.1 Since the annual meeting of the Council, there has been one change which has impacted on political balance and therefore proportionality, this being the one Independent Member joining the Labour Group. The Council continues to have three political groups and the Labour Group now has 50 seats, the Liberal Democrats remain on 32, and the Green Group remains on 2 seats. The total number of seats on the Council is 84.

4.2 This means that the percentage allocation is as follows:-

Labour:	59.52%
Liberal Democrat:	38.10%
Greens:	2.38%

5. PROPORTIONAL SEAT ALLOCATIONS TO POLITICAL GROUPS

5.1 The total number of seats across all politically proportionate Committees established by the Council at its annual meeting is 138. Applying each political group's percentage allocation (set out in paragraph 4.2) to the total number of seats, gives the following results:

Labour	$138 \times 59.52\% = 82.14$
Liberal Democrat	$138 \times 38.10\% = 52.58$
Greens	$138 \times 2.38\% = 3.28$

This shows that 137 whole seats are allocated, 82 to the Labour Group, 52 to the Liberal Democrats and 3 to the Green Group. One seat remains for allocation and is awarded on the highest part percentage claim, ie to the Liberal Democrat Group (0.58).

5.2 The closest practical distribution to political groups (after rounding) is therefore 82:53:3 (Labour : Liberal Democrat : Green).

5.3 Appendix 1 also shows the new overall proportional seat allocations to the political groups (as set out in paragraph 5.2). A comparison with the allocation made at the annual meeting of the Council shows that a small adjustment of two seats is required to ensure political balance on the overall number of seats across all Committees available to each political group - the Labour Group is under represented by two seats and the two seats previously allocated to the former Independent Member are no longer applicable.

5.4 The number of main committee seats are allocated in the same proportion as the group's representation on the Council. The mathematical calculation on differing sized Committees, based on the percentage allocation set out in paragraph 4.2, is shown at **Appendix 2**. A comparison with the Committee

sizes agreed at the annual meeting of the Council (as set out in Appendix 1) shows that the new percentage allocation does not have an impact on each group's entitlement on each individual Committee, as allocated at the annual meeting.

- 5.5 Therefore, given that the former Independent Member has joined the Labour Group and the two seats that had been allocated to him were on Committees from which the Labour Group had previously given up a seat, it follows that merely recognising these two seats as now belonging to the Labour Group would satisfy the political proportionality requirements.

6. MID YEAR REVIEWS

- 6.1 It is suggested that Council agrees to review political proportionality in December each year to reflect any changes to the political composition of the Council occurring since the Annual Meeting of the Council each May.

7. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

8. LEGAL IMPLICATIONS

The legal implications are set out in the body of this report.

9. RECOMMENDATIONS

That the Council:-

- (1) Notes the application of the political proportionality framework as set out in the report.
- (2) Agrees that, in order to ensure that each group has the required number of seats overall in comparison to the total number of seats available on all Committees to reflect their composition on the Council as a whole, the two seats allocated to the former Independent Member be now recognised as belonging to the Labour Group; and
- (3) Determines that political proportionality be reviewed in December each year to reflect any changes to the political composition of the Council occurring since the Annual Meeting of the Council each May.

Lee Adams
Deputy Chief Executive

PROPORTIONAL SEAT ALLOCATIONS TO POLITICAL GROUPS AND INDEPENDENTS (as agreed at Council on 18 May 2011 - final adjustments shown in bold)

Committee	Labour	Lib Dem	Green	Independent	Total
CYP&FS Scrutiny Committee	8 7	5	0 1	0	13
E&EW Scrutiny Committee	8	5	0	0	13
HC&ASC Scrutiny Committee	8	5	0	0	13
S&SC Scrutiny Committee	8 7	5 4	0 1	0 1	13
Overview and Scrutiny Management Committee	4	4	0	0	8
Planning and Highways - City Centre, South & East	6	4	0	0	10
Planning and Highways - West & North	6	4	0	0	10
Licensing	9 8	6	0	0 1	15
Audit	4	2	0	0	6
Admissions	4	3 2	0 1	0	7
Senior Officer Employment	9	6	0	0	15
Appeals and Collective Disputes	9	6	0	0	15
Initial Allocation at the AGM	83	55	0	0	138
Total Allocation after adjustment at the AGM & the Previous Political Balance Requirement (May 2011)	80	53	3	2	138
New Political Balance Requirement (June 2011)	82	53	3	N/A	138
Adjustments Required	+2	0	0	-2	

CALCULATION OF PROPORTIONAL SEAT ALLOCATION OF COMMITTEES

% Share of Council	59.52%	38.10%	2.38%
Number on Committee	Labour	Liberal Democrat	Green
3	1.79	1.14	0.07
4	2.38	1.52	0.10
5	2.98	1.91	0.12
6	3.57	2.29	0.14
7	4.17	2.67	0.17
8	4.76	3.05	0.19
9	5.36	3.43	0.21
10	5.95	3.81	0.24
11	6.55	4.19	0.26
12	7.14	4.57	0.29
13	7.74	4.95	0.31
14	8.33	5.33	0.33
15	8.93	5.72	0.36
16	9.52	6.10	0.38
17	10.12	6.48	0.40
18	10.71	6.86	0.43
19	11.31	7.24	0.45
20	11.90	7.62	0.48
21	12.50	8.00	0.50
22	13.09	8.38	0.52
23	13.69	8.76	0.55
24	14.28	9.14	0.57
25	14.88	9.53	0.60

	<u>Seats</u>	<u>%</u>
Labour	50	59.52
Liberal Democrat	32	38.10
Greens	<u>2</u>	<u>2.38</u>
	84	100%