



SHEFFIELD CITY COUNCIL Report to Council

Report of: Acting Executive Director, Resources

Date: 5th October 2016

Subject: Allocation of Seats on Council Committees in 2016/17 - Update

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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 sets out the impact on the allocation of seats on Council Committees of the new political composition of the Council, following the result of the Mosborough Ward By-election held on 8th September 2016.

Recommendations:

That the Council:-

- (a) notes the impact on the allocation of seats on Council Committees of the new political composition of the Council, following the result of the Mosborough Ward By-election held on 8th September 2016, as set out in the report; and
- (b) approves the adjustment of one seat (to be given up by the Labour Group from any Committee other than the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee, the Planning and Highways Committee, or the Licensing Committee, to be allocated to the Liberal Democrat Group), to be proposed at the Council meeting.

Background Papers:

1. Constitution of Sheffield City Council;
2. Establishment of Council Committees in 2016/17 and Appointment of Members to Serve on those Committees – Report of the Chief Executive to the Annual Meeting of the Council held on 18th May 2016;
3. Proposed Merger of the Audit and Standards Committees – Report of the Acting Executive Director of Resources to the meeting of the Council held on 6th July 2016.

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
YES – Cleared by Pauline Wood
Legal implications
YES – Cleared by Gillian Duckworth
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
None
Relevant Scrutiny Committee if decision called in
N/A
Is the item a matter which is reserved for approval by the City Council?
Yes
Press release
NO

Allocation of Seats on Council Committees in 2016-17 – Update

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 sets out the impact on the allocation of seats on Council Committees of the new political composition of the Council, following the result of the Mosborough Ward By-election held on 8th September 2016.

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, with some limited exceptions, to any committees and sub-committees established under the Constitution. They also apply to the Scrutiny and Policy Development 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 Committee (although past and existing practice has ensured that it is politically balanced). In addition, any formal Area Committees established under the Local Government Act 2000 are 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.
- 2.3 The total number of Members on the Council is 84. Following the "all-out" Municipal Elections held on 5th May, 2016, the political composition of the Council was 57 : 19 : 4 : 4 (Labour / Lib Dem / Green / UKIP, respectively). This was the political composition used to determine the allocation of seats

on the Committees established for the 2016/17 Municipal Year, at the Annual Meeting of the Council held on 18th May 2016. This composition was also used to update the position regarding allocation of seats which was required to be undertaken to take into account the changes introduced by the merger of the Audit Committee and the Standards Committee to form a single Audit and Standards Committee, which was approved at the Council meeting held on 5th July 2016.

2.4 The total number of seats across all politically proportionate Committees currently stands at 145. Appendix 1 sets out the proportional seat allocations to political groups on each Committee in 2016/17, incorporating the final adjustments that had been required to be made, in May and again in July, to ensure political balance on the overall number of seats across all Committees, in accordance with the third political balance principle.

2.5 The Mosborough Ward By-Election held on 8th September 2016, resulted in Councillor Gail Smith being elected, and Councillor Smith has now joined the Liberal Democrat Group on the Council. This means that the new political composition of the Council is 56 : 20 : 4 : 4 (Labour / Lib Dem / Green / UKIP, respectively).

2.6 This means that the percentage allocation now is as follows:-

Labour:	$56 \div 84 \times 100 = 66.67\%$
Liberal Democrat:	$20 \div 84 \times 100 = 23.81\%$
Greens:	$4 \div 84 \times 100 = 4.76\%$
UKIP:	$4 \div 84 \times 100 = 4.76\%$

2.7 The number of main committee seats are allocated in the same proportion as the group's representation on the Council. For example, on a committee with 15 seats available for allocation this would be calculated as follows:-

Divide the number of seats available on the committee between the groups in the same proportion as the number of seats a group has on the Council:-

Labour	$56 \div 84 \times 15 = 10.00$
Liberal Democrat	$20 \div 84 \times 15 = 3.58$
Greens	$4 \div 84 \times 15 = 0.71$
UKIP	$4 \div 84 \times 15 = 0.71$

This shows that 13 whole seats are allocated - 10 to the Labour Group and 3 to the Liberal Democrat Group. 2 seats remains for allocation and are awarded on the highest part percentage claim, i.e. to the Green Group (0.71) and the UKIP Group (0.71), giving an overall allocation of 10 : 3 : 1 : 1 seats (Labour : Liberal Democrat : Green : UKIP), being the total of 15 available for allocation.

2.8 This approach is replicated for each individual committee. The mathematical calculation on differing sized Committees, on the basis of the new percentage allocation, is shown at Appendix 2. This updated position has no material impact on the allocation of seats to political groups on each

of the Committees operating at the present time. However, there is an impact (of one seat) when applying the new percentage allocation to the total number of seats on Committees, in accordance with the third political balance principle, as outlined below.

- 2.9 Applying each group’s new percentage allocation (set out in paragraph 2.6) to the total number of seats on Committees (145), gives the following results:-

Labour	145 x 66.67%	= 96.67
Liberal Democrat	145 x 23.81%	= 34.53
Greens	145 x 4.76%	= 6.90
UKIP	145 x 4.76%	= 6.90

This shows that 142 whole seats are allocated - 96 to the Labour Group, 34 to the Liberal Democrat Group, 6 to the Green Group and 6 to the UKIP Group. 3 seats remain for allocation and are awarded on the highest part fraction claim – in this instance, to the Labour, Green and UKIP Groups, all three having a higher part fraction claim than the Liberal Democrat Group at 0.53.

- 2.10 The closest practical distribution to political groups (after rounding) is therefore 97 : 34 : 7 : 7 (Labour : Liberal Democrat : Green : UKIP).
- 2.11 Taking into account the current position on proportional seat allocations to political groups on each Committee in 2016/17, incorporating the final adjustments that had been required to be made in May and again in July 2016 (as set out in Appendix 1), this shows that one further adjustment is now required to ensure political balance on the overall number of seats across all Committees available to each political group. The adjustment requires the Labour Group to give up one seat, to be allocated to the Liberal Democrat Group.
- 2.12 In carrying out this process of adjustment, regard has to be given to the fourth political balance principle that 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. Therefore, as explained in Appendix 1, the seat to be given up by the Labour Group can be from any Committee other than the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee, the Planning and Highways Committee and the Licensing Committee, as these three Committees have already been subject to an adjustment which has provided an additional seat to the Liberal Democrat Group.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications associated with this process of adjusting the allocation of one seat on a Council Committee to ensure political balance on the overall number of seats across all Committees available to each political group, as outlined in this report.

4. LEGAL IMPLICATIONS

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

5. RECOMMENDATIONS

That the Council:-

- (c) notes the impact on the allocation of seats on Council Committees of the new political composition of the Council, following the result of the Mosborough Ward By-election held on 8th September 2016, as set out in the report; and
- (d) approves the adjustment of one seat (to be given up by the Labour Group from any Committee other than the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee, the Planning and Highways Committee, or the Licensing Committee, to be allocated to the Liberal Democrat Group), to be proposed at the Council meeting.

Eugene Walker
Acting Executive Director, Resources

APPENDIX 1

Proportional Seat Allocations to Political Groups in 2016/17 (Incorporating Final Adjustments Agreed by the Council on 18th May and 6th July 2016)

Committee	Labour	Lib Dem	Green	UKIP	Total
Overview and Scrutiny Management Committee	7	2	1	1	11
CYP&FS Scrutiny Cttee	10	3	1	1	15
E&EW Scrutiny Cttee	10 11	3 4	1	1 0	15
HC&ASC Scrutiny Cttee	10	3	1	1	15
S&SC Scrutiny Cttee	10	3	1	1	15
Planning and Highways Cttee	10	3 4	1 0	1	15
Licensing Cttee	10	3 4	1 0	1	15
Audit & Standards Cttee	5	2	0	0	7
Admissions Cttee	5	2	0	0	7
Senior Officer Employment Cttee	10 11	3	1	1 0	15
Appeals and Collective Disputes Cttee	10	3	1	1	15
Total Current Allocation	98	33	7	7	145
New Overall Political Balance Requirement	97	34	7	7	145
Final Adjustments Required	-1	+1	0	0	

Labour	145 x 66.67%	=	96.67 (96)	+1	=	97
Liberal Democrat	145 x 23.81%	=	34.53 (34)		=	34
Greens	145 x 4.76%	=	6.90 (6)	+1	=	7
UKIP	145 x 4.76%	=	6.90 (6)	+1	=	7
			(142)			(145)

Adjustment Required to be Undertaken

1. The Council is required to ensure that there are sufficient seats across the Council's scrutiny, planning and licensing committees to enable each non-

executive member of the Council to be appointed to one of those committees, in accordance with Council Procedure Rule 25.4 which specifies that every Member of the Council, except those appointed to the Cabinet, shall be appointed a member of at least one Scrutiny and Policy Development Committee or one Regulatory Committee. There are now 20 members of the Liberal Democrat Group and, as shown in the table above (and having regard to the fact that the two seats allocated to the Group on the Overview and Scrutiny Management Committee are taken by two of the four members of the Group who have been appointed to the positions of Deputy Chair of the other four Scrutiny and Policy Development Committees - those two members therefore taking four seats), there are 21 seats allocated across those Committees to the Group, thus satisfying that requirement.

2. In making the adjustment of one seat (to be given up by the Labour Group and allocated to the Liberal Democrat Group), regard has to be had to the fourth political balance principle that 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. Accordingly, the adjustment of one seat needs to be from any Committee other than the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee, the Planning and Highways Committee, or the Licensing Committee, as these three Committees have already been subject to an adjustment, in May or July 2016, which provided an additional seat to the Liberal Democrat Group.

In Summary

- Labour Group to give up one seat (from any Committee other than the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee, the Planning and Highways Committee, or the Licensing Committee) - to be allocated to the Liberal Democrat Group.

APPENDIX 2

CALCULATION OF PROPORTIONAL SEAT ALLOCATION OF COMMITTEES

% Share of Council	66.67%	23.81%	4.76%	4.76%
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Number on Committee	Labour	Liberal Democrat	Green	UKIP
3	2.00	0.72	0.14	0.14
4	2.67	0.95	0.19	0.19
5	3.33	1.19	0.24	0.24
6	4.00	1.42	0.29	0.29
7	4.67	1.67	0.33	0.33
8	5.33	1.91	0.38	0.38
9	6.00	2.14	0.43	0.43
10	6.66	2.38	0.48	0.48
11	7.34	2.62	0.52	0.52
12	8.00	2.86	0.57	0.57
13	8.67	3.09	0.62	0.62
14	9.33	3.33	0.67	0.67
15	10.00	3.58	0.71	0.71
16	10.67	3.81	0.76	0.76
17	11.33	4.05	0.81	0.81
18	12.00	4.28	0.86	0.86
19	12.68	4.52	0.90	0.90
20	13.34	4.76	0.95	0.95
21	14.00	5.00	1.00	1.00
22	14.66	5.24	1.05	1.05
23	15.33	5.47	1.10	1.10
24	16.00	5.72	1.14	1.14
25	16.67	5.95	1.19	1.19

	<u>Seats</u>	<u>%</u>
Labour	56	66.67
Lib Dem	20	23.81
Greens	4	4.76
UKIP	4	4.76
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	84	100%