

Report to Council

Title of Report:	Allocation of Seats on Council Committees in 2024-25 - Update
Date of Meeting:	4 December 2024
Report Of:	James Henderson (Director of Policy and Democratic Engagement)
Report Author:	Paul Robinson (Principal Democratic Services Officer)

Executive 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 Woodhouse Ward By-election held on 28th November 2024.

The Council will be asked to approve adjustments of nine seats on certain Committees to ensure that the political balance requirements, on the overall number of seats across all Committees available to each political group on the Council, are met.



Council Plan outcomes:

Although the subject matter of the report does not contribute to one or more of the Council Plan outcomes, it does relate to the proper governance of the Council, ensuring that the Council fulfils its legal obligations in relation to the composition of its decision-making Committees.

Is the item a matter which is reserved for approval by the City Council? - Yes

Does the report contain confidential or exempt information? - No

Recommendations:

The Council is recommended to:

1. note the impact on the allocation of seats on Council Committees of the new political composition of the Council, following the result of the Woodhouse Ward By-election held on 28th November 2024, as set out in the report;
2. note the initial allocation of seats to political groups on individual committees before final adjustment, as set out in Appendix 1 of the report; and
3. agree (i) the final adjustments of seats 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, in accordance with the schedule to be circulated at the meeting and (ii) revised appointments of Councillors to give effect to the new seat allocations and reflect the wishes of the political groups, in accordance with the schedule to be circulated at the meeting.

Financial Implications:

No. Approved by: Matthew Ardern, Senior Finance Manager

Legal Implications:

Yes.

Equality and Engagement Implications:

No.

Climate Change Implications: No

Background Papers:

1. Constitution of Sheffield City Council.
2. Establishment of Council Committees in 2024/25 and Appointment of Members to Serve on those Committees - Report submitted to the annual meeting of the Council on 15th May 2024.

Appendices:

Appendix 1 – Initial Allocation of Committee Seats

Appendix 2 – Allocation of Committee Seats Retaining Adjustments Agreed in May 2024

1. Background to the issue

- 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. The Local Government (Committees and Political Groups) Regulations 1990 require local authorities to review the allocation of seats to political groups as soon as practicable after a change to the political groups, or a change of membership of a group, on the Authority.
- 1.2 The report provides details of the updated political composition of the Council resulting from the result of the Woodhouse Ward By-election held on 28th November 2024, and contains an update on the allocation of seats on the Council's Committees in the light of that change to the composition of the Council and based on the Committees (and their sizes) which were approved at the annual meeting of the Council held on 15th May 2024 for operation in the Municipal Year 2024-25. There are a total of 180 seats across all the Council's Committees that are subject to political proportionality.
- 1.3 The current Council Committees, their terms of reference, and the functions delegated to them, are set out in Part 3.3 of the Council's Constitution (Matters Delegated To Council Committees And Sub-Committees).

2. Political Balance

- 2.1 The political balance requirements of the Local Government and Housing Act 1989 ("the Act") and the Local Government (Committees and Political Groups) Regulations 1990 ("the Regulations") apply, with some limited exceptions, to any committees and sub-committees established under the Constitution. The allocation of seats on committees must be determined so that each political group gets the same proportion as the number of their members to the total membership of the Authority. The political balance statutory provisions do not apply to a statutory Licensing Committee established under the Licensing Act 2003, but the political balance rules do apply to a Licensing Committee when it is discharging other regulatory functions. In addition, the Regulations provide that the political balance rules do not apply to a Local Area Committee whose voting members are all Members of the Council elected for the electoral wards within the area of the committee and which discharges functions only in respect of that particular area. The Health and Wellbeing Board is also exempt from the requirement for political balance.
- 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) that not all the seats on the committee are allocated to the same political group;
- (ii) that the majority of the seats on the committee is allocated to a particular political group, if the number of persons belonging to that group is a majority of the Authority's membership (no group on Sheffield City Council currently satisfies this criterion);
- (iii) subject to the above two principles, that 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 membership of the Authority; 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 membership of the Authority.

2.3 Alternative arrangements which depart entirely from political proportionality can be put in place provided the Council votes for this without any Member voting against. In practice, arrangements will never be perfectly politically proportionate, due to the need to appoint whole people to committees. The legislation allows for this within the boundaries of what is 'reasonably practicable' without requiring an unopposed vote.

2.4 Regulation 16 of the Regulations clarify the allocation and appointment duties for cases where some Members are members of political groups and others are not, and require that:-

- allocation of seats is determined so that each group gets the same proportion of the total number of seats as the proportion of their group members to the total number of members of the authority;
- appointment to 'spare' seats (not allocated by that determination) must be to non-grouped members.

2.5 There is no statutory requirement that all Members must have a proportionate number of, or indeed any, seats. However, Sheffield City Council does make provision (under Council Procedure Rule 25.6) for every Member of the Council to be appointed a member of at least one Policy Committee or Regulatory Committee, unless otherwise determined by the Council.

3 Composition of the Council

3.1 The total number of Members on the Council is 84. Following the Municipal Elections held on 2nd May, 2024, the Council had four political groups. The Labour Group had 36 Members (which includes 15 Labour



and Co-operative Party Members), the Liberal Democrat Group had 27 Members, the Green Group had 14 Members and the Sheffield Community Councillors Group had 6 Members. There was also one Councillor who was not a member of any group on the Council - Councillor Qais Al-Ahdal, an Independent candidate who was elected in the Darnall Ward.

- 3.2 Following the death of Councillor Paul Wood on 15th September 2024, a By-Election in the Woodhouse Ward was held on 28th November 2024. Councillor Wood had been a member of the Sheffield Community Councillors Group on the Council. The By-Election resulted in Councillor Willis Marshall being elected, and Councillor Marshall has now joined the Liberal Democrat Group on the Council.
- 3.3 This means that the new composition of the Council, and percentage allocation is as follows:-

Labour Group	$36 \div 84 \times 100 = 42.86\%$
Liberal Democrat Group	$28 \div 84 \times 100 = 33.33\%$
Green Group	$14 \div 84 \times 100 = 16.67\%$
Sheffield Community Councillors Group	$5 \div 84 \times 100 = 5.95\%$
Independent (Councillor Qais Al-Ahdal)	$1 \div 84 \times 100 = 1.19\%$

- 3.4 This is the percentage allocation that has to be applied in order to address the requirements of the third and fourth principles set out in (iii) and (iv) of paragraph 2.2 above.

4 Allocation Of Seats On Committees To Political Groups

- 4.1 In order to address the political balance requirements in the correct priority order, it is necessary to determine the total number of seats to be included in the overall calculation. The percentage allocation set out in paragraph 3.3 is then applied to that total number of seats, resulting in total overall seat allocations being awarded to each political group and to any individual Councillors who are not a member of a group.
- 4.2 The arrangements approved by the Council at its annual meeting on 15th May 2024, provided a total of 180 seats across all the Council's Committees that are subject to political proportionality. The committees included in the overall proportionality calculations were the nine Policy Committees (and their two standing Sub-Committees – Health Scrutiny & Charity Trustee), the two Regulatory Committees (Planning and Highways Committee & the [Regulatory] Licensing Committee), Audit and Standards Committee, Governance Committee, Admissions Committee, Senior Officer Employment Committee and the Appeals and Collective Disputes Committee.

4.3 The previous entitlements to seats on those Committees were 77 (Labour), 58 (Liberal Democrat), 30 (Green) and 13 (Sheffield Community Councillors), plus 2 seats to be allocated to Councillor Al-Ahdal.

4.4 Based on that total number remaining at 180 seats, the allocation based on the new composition is:-

Labour Group	$180 \times 42.86\% = 77.15$ (77)
Liberal Democrat Group	$180 \times 33.33\% = 59.99$ (59)+1
Green Group	$180 \times 16.67\% = 30.01$ (30)
Sheffield Community Councillors Group	$180 \times 5.95\% = 10.71$ (10)+1
Independent (Councillor Qais Al-Ahdal)	$180 \times 1.19\% = 2.14$ (2)

This gives 178 seats based on whole number allocation ($77+59+30+10+2$), so the two Groups with the highest and second highest part whole number each get an additional seat. That is the Liberal Democrat and Sheffield Community Councillors Groups (with .99 & .71 entitlement, respectively).

The new allocations are therefore 77 (Labour), 60 (Liberal Democrat), 30 (Green), 11 (Sheffield Community Councillors), plus 2 seats to be allocated to Councillor Al-Ahdal.

4.5 The entitlements of the Labour Group, the Green Group and Councillor Al-Ahdal are unaffected, based on retaining 180 seats in total. The Liberal Democrat Group's entitlement has risen by 2 seats (from 58 to 60 seats) and the Sheffield Community Councillors Group's entitlement has reduced by 2 seats (from 13 to 11 seats).

4.6 In relation to the fourth political balance principle (the number of seats on each committee are allocated to each political group in the same proportion as the group's membership of the Authority), for each individual committee, the number of seats on the committee are initially allocated in the same proportion as the group's representation on the Council. For example, on a committee with 9 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	$9 \times 42.86\% = 3.86$ (3)+1
Liberal Democrat	$9 \times 33.33\% = 3.00$ (3)
Green	$9 \times 16.67\% = 1.50$ (1)
Sheffield Community Councillors	$9 \times 5.95\% = 0.53$ (0)+1
Independent (Councillor Qais Al-Ahdal)	$9 \times 1.19\% = 0.11$ (0)

This shows that 7 seats are allocated based on whole number allocation - 3 to the Labour Group, 3 to the Liberal Democrat Group and 1 to the Green Group. 2 seats remain for allocation and are awarded on the two highest decimal part claims, i.e. to the Labour Group (0.86) and the Sheffield Community Councillors Group (0.53), giving an overall allocation of 4 : 3 : 1 : 1 : 0 seats (Labour : Liberal : Democrat : Green : Sheffield Community Councillors : Independent), being the total of 9 available for allocation. This represents no change to the initial allocation that applied in May 2024 under the previous composition in relation to a committee size of 9 seats.

- 4.7 This approach is replicated for each individual committee and Appendix 1 to this report (Initial Allocation of Committee Seats) shows the initial allocation, in accordance with proportionality rules, of seats to each political group on each of the committees that are subject to political proportionality.
- 4.8 The Council has differing sized committees, ranging from the smallest (of 5 seats) to the largest (of 15 seats). On each of the committee sizes, the new initial allocation of seats to each political group is the same as the initial allocation under the previous composition.
- 4.9 Once the initial allocation of seats has been applied to each of the committees to be included in the overall proportionality calculations, the total number of seats allocated via this process to each political group and to any individual Councillors who are not a member of a group, is calculated. These total initial seat allocations are then compared with the total allocations awarded under the calculation made on the total number of seats (in relation to the third political balance principle), and appropriate adjustments made to the allocations on individual committees to ensure that the third principle is met (i.e. that 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 membership of the Authority). Where the total number of seats allocated to a group in the initial allocation exceeds that group's overall entitlement to seats, it will need to relinquish the relevant number of seats; where the total number of seats allocated to a group in the initial allocation is below that group's overall entitlement to seats, it will need to be allocated the relevant number of additional seats.
- 4.10 Appendix 1 (Initial Allocation Of Committee Seats) shows that, in order to ensure that each political group has their correct entitlement of seats across all the committees, adjustments will need to be made to these initial allocations by the groups agreeing to give up/take on seats on particular committees.
- 4.11 The Appendix shows that, to achieve the required overall proportionality, the following adjustments need to be made to the initial allocation:-
- Labour Group must lose 1 seat

- Liberal Democrat Group must gain 1 seat
- Green Group must gain 4 seats *
- Sheffield Community Councillors Group must lose 6 seats
- Councillor Al-Ahdal must gain 2 seats *

* in the cases of the Green Group and Councillor Al-Ahdal – at least one of which needs to be on a Policy Committee or Regulatory Committee (in accordance with Council Procedure Rule 25.6), which states that “Every Member of the Council shall be appointed a member of at least one Policy Committee or Regulatory Committee, unless otherwise determined by the Council.” In the initial allocation to the Green Group there are seats on those Committees available for 13 of the 14 Members of the Group. Councillor Al-Ahdal can choose not to be appointed to serve on any Policy or Regulatory Committee, if he so wishes.

- 4.12 Those seven adjustments of seats need to be on seven separate Committees in order to give effect, so far as is reasonably practicable, to the fourth political balance principle (the number of seats on each committee are allocated to each political group in the same proportion as the group’s membership of the Authority).
- 4.13 Appendix 2 to this report adds to the initial allocation of committee seats (at Appendix 1) five of the six adjustments of seats which were approved at the annual meeting of the Council held on 15th May 2024. Those adjustments had been made at that point in time to achieve the required overall proportionality under the previous composition of the Council. If those adjustments are reinstated in the new seat allocations this would replicate the seat allocations currently operating for those five Committees and reduce (from seven to two) the number of adjustments remaining to be made, i.e. Liberal Democrat +1; Sheffield Community Councillors Group -2; Independent +1 (which needs to be a seat on a Policy or Regulatory Committee). No further adjustments would be required to be made in relation to the seats allocated to the Labour and Green Groups.
- 4.14 The other adjustment made at the annual meeting in May 2024 was on the Licensing Committee, which gave Councillor Al-Ahdal a seat (at the expense of the Liberal Democrat Group). The Sheffield Community Councillors Group currently have a seat on that Committee, but the seat has been left unfilled since May 2024 due to workload demands within that small group of Councillors. If the Sheffield Community Councillors Group were to give up their seat on the Licensing Committee to Councillor Al-Ahdal, as one of the two final adjustments required to be made, this would reinstate Councillor Al-Ahdal’s seat on that Committee and then just leave one adjustment remaining to be made, i.e. Liberal Democrat +1; Sheffield Community Councillors Group -1 (which would need to be on a Committee not already subject to an adjustment). That proposed adjustment relating to the Licensing Committee is showing in Appendix 2.

- 4.15 A schedule detailing the final seat allocations, incorporating the required adjustments, will be supplied at the Council meeting for approval, together with revised appointments of Councillors to give effect to the new seat allocations.

5 How does this decision contribute to the Council Plan?

- 5.1 There are no direct links with the Council Plan arising from this statutory requirement to review seat allocations on the Council's Committees. However, it is worth noting that the Governance Committee is conducting a review of the remits of the Council's Policy Committees, with an aim to ensure that the Policy Committees are undertaking their roles effectively and are able to lead key policy areas in line with the ambitions and strategic outcomes in the Council Plan.

6 What community or partner engagement has been undertaken and how has it informed the proposal?

- 6.1 No community or partner engagement has been undertaken in relation to this review of seat allocations on the Council's Committees. The review is a statutory requirement and the legislation defines what the Council must do. Liaison with the political groups on the Council will take place in relation to the outcome of the review and with a view to reaching consensus on the adjustments to initial seat allocations that are required to be made between the groups.

7 What alternative options did we consider?

- 7.1 'Do nothing' is not an option for the Council. It is under a legal obligation to review the allocation of seats to political groups as soon as practicable after a change to the political groups, or a change of membership of a group, on the Authority.
- 7.2 Alternative arrangements which depart entirely from political proportionality could only be put in place provided the Council votes for this without any Member voting against. No such alternative arrangements are being proposed.
- 7.3 The seven adjustments of seats that need to be made on seven separate Committees, as mentioned in paragraph 4.12 and showing in Appendix 1, could be determined by identifying the largest variances within the initial allocations, i.e. the strict application of proportionality. However, an alternative proposal accommodating the preferences of the political

groups as part of a politically proportionate scheme, would be acceptable, if it is able to be agreed by full Council, and the legislation allows for this within the boundaries of what is 'reasonably practicable' without requiring an unopposed vote.

- 7.4 The Council could decide to change the sizes of one or more of its Committees if it determined there was good reason to do so for political or practical expediency. This would necessitate a recalculation of the total and initial allocations of seats in light of the revised size/s. No such change is being proposed.

8 How has equality, diversity and inclusion been actively considered?

- 8.1 There are no equality, diversity or inclusion implications arising from the review of seat allocations on the Council's Committees. However, it is worth noting that within the terms of reference of the Council's Policy Committees (set out in Part 3.3 of the Council's Constitution – Matters Delegated to Committees and Sub-Committees), when devising policy, evaluating service delivery and taking decisions, the Committees must consider - public engagement in informing its work; equality, diversity and inclusion implications; and climate and bio-diversity.

9 Financial and Commercial Implications

- 9.1 There are no financial or commercial implications. Under the Council's Members' Allowances Scheme, special responsibility allowances (SRAs) are paid for certain roles, such as being a Chair or Deputy Chair of a Policy or Regulatory Committee, but the review of seat allocations based on the Council's existing committee structure will not impact on those allowances.

10 Legal Implications

- 10.1 The legal implications for a review of the political composition of the membership of the Council's Committees are contained within the body of this report

11 Climate and Environmental Implications

- 11.1 There are no climate or environmental implications arising from the review of seat allocations on the Council's Committees.

12 Other implications

- 12.1 There are no other implications arising from the review of seat allocations on the Council's Committees.

13 Reasons for decision

- 13.1 The recommendations in the report enable the Council to comply with 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.