

# Harborough District Council



## Report to Annual Council Meeting of 20<sup>th</sup> May 2024

<b>Title:</b>	Calculation and application of Political Balance
<b>Status:</b>	Public
<b>Key Decision:</b>	No
<b>Report Author:</b>	Sarah Hamilton, Interim Senior Democratic Services Officer
<b>Portfolio Holder:</b>	Leader of the Council, Councillor Phil Knowles
<b>Appendices:</b>	None

### Summary

- i. The Council is required to determine the political balance of its councillors following local government elections, which calculation is used to inform the allocation of seats on council committees.
- ii. The calculation of political balance is largely a factual and mathematical exercise by which the proportions of each political group represented on the council are identified and applied to the number of seats available on council committees. Where the figures are required to be rounded up or down however, there may need to be some adjustment to ensure that representation across all parties is fair.
- iii. Council is asked to approve the calculation of political balance, and endorse the allocation of seats to political parties in accordance with that calculation.

### Recommendations

1. The Council is invited to:
  - (a) Appoint the committees as shown in Section 3 to the report in accordance with the constitution and terms of reference therein;
  - (b) Agree the calculation of political balance for the 2024-2025 municipal year, as set out in Section 3, Table 1 to the report;
  - (c) Agree the allocation of seats on committees to groups in accordance with the political balance calculations as set out Section 3, Table 2 to the report.

- (d) Authorise the Deputy Chief Executive and Monitoring Officer, in consultation with the relevant Group Leader, to determine any further necessary adjustments to be made to individual Committee and Sub-Committee allocations in accordance with the provisions of Sections 15 and 16 of the Local Government and Housing Act 1989;
- (e) Authorise the Deputy Chief Executive and Monitoring Officer to allocate seats to political groups in respect of any sub-committee which might be established from time to time in accordance with the provisions of Sections 15 and 16 of the 1989 Act;

## **Reasons for Recommendations**

- i. It is a statutory requirement that the Council calculate its political balance and apply this to the governance arrangements it has adopted. This reports confirms the democratic arrangements of the Council for the municipal year 2024-2025.

## **1. Purpose of Report**

- 1.1 This report identifies the political balance calculation for Harborough District Council for the 2024-2024 Municipal Year and suggests how this can be applied to the various committees it designates.
- 1.2 This report confirms the democratic arrangements for the Council for the Municipal Year 2023-2024.

## **2. Background**

- 2.1 At the annual meeting of Council, councillors are required to decide what committees and sub-committees to establish for the coming municipal year. This includes the allocation of seats to political groups represented on the Council in accordance with the provisions of the Local Government and Housing Act 1989 (the "1989 Act"). Councillors should also determine the size and terms of reference of those committees.
- 2.2 Section 15 (Duty to Allocate Seats to Political Groups) of the 1989 Act sets out the requirements as to political proportionality on Council bodies and requires the Council, in allocating seats on committees and sub-committees of the Council to political groups, to give effect, so far as practicable, to the following four principles:
  - 2.2.1 that not all seats on the committee/sub-committee are allocated to the same political group;
  - 2.2.2 that the political group having a majority of seats on the Council should have a majority on each committee and sub-committee;
  - 2.2.3 that, subject to 2.2.1 and 2.2.2 above, the number of seats on the Council's committees and sub-committees allocated to each political group, bears the same proportion to the total number of such committee/sub-committee seats as the number of members of that group bears to the membership of the full Council; and

- 2.2.4 that, subject to 2.2.1 to 2.2.3 above, seats will be allocated on each committee and sub-committee in the same ratio as exists on the full Council.
- 2.2.5 Section 16 (Duty to Give Effect to Allocations) of the 1989 Act requires the Council to give effect to the allocations determined in accordance with the wishes of the relevant group.
- 2.3 Section 3 sets out the committees of the Council subject to the adoption of the refreshed Constitution.
- 2.4 The distribution of seats between groups has been calculated on a proportional split of the 34 seats. In each case the determination of seat numbers has followed the general principle of rounding up or down. There has therefore been some adjustment to the resulting distribution in order to correct the consequences of this and to give effect to the principles in Section 15 of the 1989 Act, as set out above.

### **3. Details**

#### **Committees**

- 3.1. The Council is required to appoint to the following committees and sub-committees:
- 3.1.1. Planning Committee;
  - 3.1.2. Regulatory Committee;
  - 3.1.3. Constitutional Review Committee;
  - 3.1.4. Audit and Standards Committee;
  - 3.1.5. Employment Committee;
  - 3.1.6. Investigating and Disciplinary Committee;
  - 3.1.7. Appeals Committee;
  - 3.1.8. Licensing Committee;
  - 3.1.9. Corporate and Performance Overview & Scrutiny Panel
  - 3.1.10 Services and Communities Overview & Scrutiny Panel
  - 3.1.11 Revenues and Benefits Joint Committee

#### **Political Balance**

- 3.2. The political balance of the Council is, for the municipal year 2024-2025 as set out in Table 1 below:

**Table 1: Political Balance for 2024 - 2025**

<b>Group</b>	<b>No. of Councillors</b>	<b>% of Council</b>
Conservative	15	44 (44.1176)
Liberal Democrat	13	38 (38.2352)
Labour	3	9 (8.8235)
Green	3	9 (8.8235)
Other	0	0
<b>Total</b>	<b>34</b>	<b>100</b>

3.3. Members will recall that political balance is necessary to ensure that representation on Council bodies that are subject to political balance reflect the democratically elected balance of the Council.

3.4. Seats according to political balance 2024-2025

**Table 2: Seats according to political balance 2024 – 2025**

<b>Committee</b>	<b>Coalition</b>	<b>Conservative</b>
Planning (9)	<b>5</b>	<b>4</b>
Regulatory (10)	<b>6</b>	<b>4</b>
Constitutional Review (7)	<b>4</b>	<b>3</b>
Audit & Standards (7)	<b>4</b>	<b>3</b>
Employment (5)	<b>3</b>	<b>2</b>
Investigatory & Disciplinary (5)	<b>3</b>	<b>2</b>
Appeals (5)	<b>3</b>	<b>2</b>
Licensing (10)	<b>6</b>	<b>4</b>
Services and Communities Overview and Scrutiny (7)	<b>4</b>	<b>3</b>
Corporate and Performance Overview and Scrutiny (7)	<b>4</b>	<b>3</b>
<b>TOTAL SEATS 72</b>	<b>42</b>	<b>30</b>

3.5. The membership of all Council Committees and Panels is therefore confirmed as set out below:

3.5.1. **Appeals** – total of 5 seats

Coalition: 3 seats:

Conservative: 2 seats:

3.5.2. **Audit & Standards** – total of 7 seats

Coalition: 4 seats

Conservative: 3 seats

3.5.3. **Constitutional Review** – total of 7 seats

Coalition: 4 seats

Conservative: 3 seats

3.5.4. **Corporate and Performance Overview & Scrutiny Panel** – total of 7 seats

Coalition: 4 seats

Conservative: 3 seats

3.5.5. **Employment** – total of 5 seats

Coalition: 3 seats

Conservative: 2 seats

3.5.6. **Investigation & Disciplinary** – total of 5 seats

Coalition: 3 seats

Conservative: 2 seats

3.5.7. **Licensing** – total of 10 seats

Coalition: 6 seats

Conservative: 4 seats

3.5.8. **Planning** – total of 9 seats

Coalition: 5 seats

Conservative: 4 seats

3.5.9. **Regulatory** – total of 10 seats

Coalition: 6 seats

Conservative: 4 seats

3.5.10 **Services and Communities Overview & Scrutiny Panel** – total of 7 seats

Coalition: 4 seats

Conservative: 3 seats

## **Appointment of Cabinet**

3.6. The Leader has confirmed that he will be supported by 6 Cabinet members. Each member of Cabinet will be responsible for a portfolio of issues. The Leader will confirm the title and scope of each portfolio at a later date.

## **Cabinet Sub-Committees and Advisory Panels**

3.7. Cabinet Sub-Committee Grants

3.8. Member Development Advisory Panel

3.9. Local Plan Advisory Panel

## **4. Implications of Decisions**

### **Corporate Priorities**

4.1. The Council is committed to delivering its corporate priorities as set out in its corporate plan. Providing the information contained within this report gives assurance that the Council continues to work to deliver these priorities. The distribution of seats according to political composition ensures fair representation of all groups in the delivery of the Council's corporate objectives.

### **Consultation**

4.2. The identification of individuals within this report reflects the nominations provided by the relevant group leaders. No further consultation is required.

### **Financial**

4.3. The financial consequences of the number of committees and representatives set out within this report are within the budget set by the Council. The current budget for members allowances and expenses is £319k.

### **Legal**

4.4. The requirement to determine and update the political balance calculation is contained within statute. This report therefore ensures that the Council is meeting its legal obligations in this regard.

4.5. The identification of nominations to committees, Cabinet and outside bodies is required to aid transparency. Any changes during the municipal year to these nominations will be reported to the next relevant meeting.

### **Environmental Implications**

4.6. Nothing within this report is anticipated to impact upon the Council's commitment to achieving net zero carbon.

### **Risk Management**

4.7. As set out in the Legal implications, the risk of not complying with statutory requirements is that the Council will be acting ultra vires and therefore capable of being subject to successful challenge of its decisions.

## **Equalities Impact**

4.8. The Council has a statutory duty to consider and demonstrate equalities impact in all of its activities. However, the report does not impact upon the public sector equality duty given it reports the application of political balance and decisions made as to which individual is allocated to which council role. This in all decisions, and Equalities Impact Assessment may need to be provided.

## **Data Protection**

4.9. This report contains no private information.

## **5. Alternative Options Considered**

5.1. The Council is required to calculate the political balance and apply it, therefore there are no alternative options other than to not undertake this exercise, which will have the implications listed in this section 4 of the report.

5.2. The Council is required to publicise its arrangements in respect of political balance, and has collated within this report for ease of reference the information in respect of the outcome of the application of political balance, and the nomination of councillors to council roles and outside bodies.

## **6. Recommendation**

6.1. Council is invited to:

- (a) Appoint the committees as shown in Section 3 in accordance with the constitution and terms of reference therein;
- (b) Agree the calculation of political balance for the 2024-2025 municipal year, as set out in Section 3, Table 1 to the report.
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- (d) authorise the Deputy Chief Executive / Monitoring Officer, in consultation with the relevant Group Leader, to determine any further necessary adjustments to be made to individual Committee and Sub-Committee allocations in accordance with the provisions of Sections 15 and 16 of the Local Government and Housing Act 1989;
- (e) authorise the Deputy Chief Executive / Monitoring Officer to allocate seats to political groups in respect of any sub-committee which might be established from time to time in accordance with the provisions of Sections 15 and 16 of the 1989 Act;

## **7. Background papers**

7.1. The Local Government and Housing Act 1989

<https://www.legislation.gov.uk/ukpga/1989/42/part/II/crossheading/political-balance-on-committees-etc>

7.2. The Local Government (Committees and Political Groups) Regulations 1990

<https://www.legislation.gov.uk/uksi/1990/1553/regulation/17/made>