

# FAREHAM

## BOROUGH COUNCIL

### Report to Council

#### 15 October 2015

*Subject:* **ALLOCATION OF SEATS TO COMMITTEES**

*Report of:* **Chief Executive Officer**

#### SUMMARY

This report recommends an increase to the number of seats allocated to the Licensing and Regulatory Affairs Committee and provides subsequent details of the calculations for political balance relating to the allocation of seats on committees and panels.

#### RECOMMENDATION

That the Council approves:

- (a) The increase of the number of seats allocated to the Licensing and Regulatory Affairs Committee from 12 to 14;
- (b) the allocation of seats, as set out in Appendix A for the remainder of the municipal year 2015-16; and
- (c) the nominations of the political groups to seats on committees, along with the nominations of deputies and the appointment of a Chairman and Vice-Chairman for each committee for the remainder of the municipal year 2015-16, as set out in Appendix B (to be tabled following the receipt of nominations).

## **INTRODUCTION**

1. The Council is required by its Standing Orders to agree the functions and number of seats for its committees as well as the members to be appointed and the Chairman and Vice-Chairman for each committee.
2. Members of Licensing Panels are called from the Licensing and Regulatory Affairs Committee and it has recently come to light that there is a legal preclusion which does not allow deputies of the Licensing and Regulatory Affairs Committee to be called upon as Members of Licensing Panels when dealing with hearings in connection with the Licensing Act and the Gambling Act.
3. Currently the Licensing and Regulatory Affairs Committee consists of 12 Members with 2 deputies. In order to maintain a wide pool of Councillors from which a Panel can be formed, it is recommended to increase the size of the Licensing and Regulatory Affairs Committee by 2 to a total of 14.
4. The Council is now invited to review the allocation of seats to its committees along with the nomination of deputies and the appointment of a Chairman and Vice-Chairman for each committee for the remainder of the municipal year 2015-16. Such appointments will take effect from 16 October 2015.

## **ALLOCATION OF SEATS**

5. Section 5 of the Local Government and Housing Act 1989 provides the following principles which apply to the allocation of seats:
  - (a) that not all the seats on the body to which appointments are being made are allocated to the same political group;
  - (b) that the majority of seats on each Committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
  - (c) that, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
  - (d) subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
6. The Local Government and Housing Act 1989 requires that, once the Council has determined the allocation of Committee places between the political groups, the Council must then appoint the nominees of the political groups to the Committees.

## **ADJUSTMENTS FOLLOWING CALCULATIONS**

7. Each of the political groups is entitled to a certain number of seats on committees. This is based upon their percentage representation on the Council as a whole, as detailed in the following table:

Group	Conservative	Liberal Democrat	(UKIP)	(Independent)	Total
Councillors	24	4	(1)	(2)	31
%	77.42	12.9	(3.23)	(6.45)	100

8. There are a total of 79 seats to be allocated and the strict entitlement to seats on committees for each political group is as follows:
- Conservative - 61 seats
  - Liberal Democrat - 10 seats
9. Each of the political groups are only entitled to their proportion of seats and once this entitlement has been reached, a manual adjustment may be necessary.
10. Appendix A shows a rounded allocation of seats to each political group. This is then required to be manually adjusted to ensure that the number of seats allocated to a particular political group matches and does not exceed their strict entitlement.
11. Therefore, the following manual adjustments are required:
- (a) Under the calculation, the Conservative Group has notionally been allocated 59 seats on committees. This is 2 less than the strict entitlement of 61 seats and so a positive adjustment must be made to balance the allocations.
  - (b) The Liberal Democrat Group has notionally been allocated 11 seats on committees. The Group cannot have a greater representation on committees than their strict entitlement of 10 seats and so a negative adjustment must be made to balance the allocations.
  - (c) Whilst there is one UKIP councillor, a group cannot be formed by a single member and so for the purposes of these calculations, the UKIP councillor will be treated as an independent member.
  - (d) The seat allocations for each committee must equal the agreed number of seats for that committee, as determined by the Council. Where this does not occur, the manual adjustments described at paragraphs (a) and (b) above, must be made from those committees requiring a balancing adjustment. These affected committees are shaded in the table at Appendix A.
  - (e) There are three independent councillors who do not represent any political group. There is no strict entitlement calculation applicable to an independent member however, following the calculations and allocation of seats to political groups, the Council must appoint the non-group members to any seats not otherwise allocated. In doing this, the Council may allocate seats from those committees requiring a balancing adjustment. These affected committees are shaded in the table at Appendix A.
12. Group Leaders have been requested to provide nominations to the places on committees to which their respective groups are entitled. The nominations of political groups to seats on committees are set out in Appendix B, to be tabled at the meeting.

13. The Council is also required to appoint a Chairman and Vice-Chairman for each committee and these nominations are included at Appendix B, along with the nomination of deputies.
14. The minority group Leader may nominate a spokesman for each Executive portfolio area on which a seat is held by that group. The nominations of political groups to seats on committees will be set out in Appendix B (marked as Xs), to be tabled at the meeting.

**Background Papers:** None

**Reference Papers:**

Local Government (Committees and Political Groups) Regulations 1990  
Local Government and Housing Act 1989

**Enquiries:**

For further information on this report please contact Leigh Usher. (Ext 4553)

## Political Group Balance Calculation

		Conservative		Liberal Democrat		Independent	
		24		4		3	
		77.42%		12.9%		(9.68%)	
Seats to be allocated		Strict Entitlement	Rounded	Strict Entitlement	Rounded	Strict Entitlement	Rounded
	79	61.16	61	10.19	10	n/a	n/a
Scrutiny Board	9	6.97	7	1.16	1	n/a	0
Leisure & Community	7	5.42	5	0.90	1	n/a	0
Planning & Development	7	5.42	5	0.90	1	n/a	0
Public Protection	7	5.42	5	0.90	1	n/a	0
Health & Housing	7	5.42	5	0.90	1	n/a	0
Streetscene	7	5.42	5	0.90	1	n/a	0
Licensing & Regulatory Affairs	14	10.84	11	1.81	2	n/a	0
Planning Committee	9	6.97	7	1.16	1	n/a	0
Appeals Panel	5	3.87	4	0.65	1	n/a	0
Audit & Gov	7	5.42	5	0.90	1	n/a	0
Notional allocation	79		59		11		0
Adjustment Required			+2		-1		+8

**To be tabled at the meeting**