

Council – 16 July 2018

Change in political group membership

1. Summary of report

This report informs the Council that Councillors P. Bott and C. Bott have notified the Proper Officer that in agreement with the Labour Group Leader, they have exercised their right to become members of the Labour Group. The Council is invited to agree the revised allocation of committee places between the political groups.

2. Recommendations

That Council agree the revised proportionality calculations as set out in paragraph 3.5 within the report.

3. Background

- 3.1 Councillor Coughlan, Leader of the Labour Group together with Councillors C. Bott and P. Bott have notified the Proper Officer and signed the appropriate form to confirm that Councillor C. Bott and P. Bott have joined the Labour Group.

As a consequence, the composition of the Council remains in no overall control as follows:-

Political Group	Number of Seats	% of overall membership
Conservative	30	50%
Labour	28	47%
Liberal Democrats	2	3%

- 3.2 The Local Government and Housing Act 1989 requires committee places to be allocated between political groups in accordance with the following principles:

- (a) that not all the seats on the body are allocated to the same political group;
- (b) that the group with the majority of the seats on the council is allowed to have a majority of seats;
- (c) subject to paragraphs (a) and (b) above, the number of seats on the total of all committees allocated to each political group bears the same proportion to the total of all the seats which that group holds on the council;

- (d) subject to paragraphs (a) to (c) above, the number of the seats on each committee allocated to any political group must be proportional to the number of seats which that group holds on the Council.

3.3 The Local Government and Housing Act 1989 only gives an entitlement to political groups to have seats on committees. A 'political group' is defined as two or more members who inform the Proper Officer that they wish to be regarded as a political group and have a leader. The remaining places are filled by the council, nominating from those councillors who are not in any Group, but with all councillors voting.

3.4 The table below shows the global seat allocations **before** Councillor C. Bott and Councillor P. Bott joined the Labour Party

Group	Sum (Group Members/Total Cllrs x No of Seats Available)	Seats Entitled to	Actual seats allocated
Conservative	30/60 x 100	50	54
Labour	28/60 x 100	44	39
Liberal Democrat	2/60 x 100	3	5
Independents	2/60 x 100	3	2
Total		100	100

3.5 The table below shows the global seat allocations **following** Councillor C. Bott and Councillor P. Bott joining the Labour Party. Members are asked to note that the seats previously allocated to the Independents are now included within Labours 'actual seat' column.

Group	Sum (Group Members/Total Cllrs x No of Seats Available)	Seats Entitled to	Actual seats allocated
Conservative	30/60 x 100	50	54
Labour	28/60 x 100	47	41
Liberal Democrat	2/60 x 100	3	5
Total		100	100

3.5 Achieving political balance is a complex process which requires a compromise to be made between sets of calculations. This can result in marginal differences which may be significant to Committee representation of individual political groups. The required "balance" has to be achieved by the Council allocating seats on individual Committees to properly constituted political groups based on the size of each group in relation to the size of the Council and so far as is reasonably practicable at the same time the total number of seats allocated to each group across all Committees must be in the same proportion.

- 3.6 These calculations are rarely exact, but in seeking to ensure that all political groups are dealt with fairly, this report implements the requirements of the relevant legislation.
- 3.7 The Council is open to legal challenge if it was thought not to have used its best endeavours to achieve “so far as reasonably practicable” a position where the allocation of seats reflects the political make-up of the Council. The final decision necessary to achieve political balance lies with the Council and officers have worked to bring forward to Council clear recommendations to achieve the intentions of the legislation.
- 3.8 On the basis of the political groups the allocation of seats on Committees must be calculated in the ratio of 30: 28: 2 reflecting the size of the groups on the Council.
- 3.9 At its meeting held on 21st May, 2018, Council agreed the appointment to Committees and outside bodies. It is suggested that no changes be made to this allocation noting that the seats allocated to the then Independents will transfer to the Labour Group.


Background papers


Local Government (Committees and Political Groups) Regulations 1990 (as amended)

Report Author

Neil Picken

Senior Democratic Services Officer

 01922 654369

 neil.picken@walsall.gov.uk

Signed:

Chief Executive

Date: 9th July, 2018