

Committee Name and Date of Committee Meeting

Council – 12 January 2022

Report Title

Membership of Political Groups on the Council, Political Balance and Entitlement to Seats

Is this a Key Decision and has it been included on the Forward Plan?

Not applicable

Strategic Director Approving Submission of the Report

Jo Brown, Assistant Chief Executive

Report Author(s)

Emma Hill, Acting Head of Democratic Services
01709 823566 emma.hill@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

Section 15 of the Local Government and Housing Act 1989 places on local authorities the duty to allocate seats to political groups and set out the principles to be followed when determining such allocation following formal notification of the establishment of political groups in operation on the council.

There is a requirement to annually review the entitlement of the political groups to seats on the committees of the council.

The allocation of seats must follow two principles:

- (a) Balance must be achieved across the total number of available seats on committees; and
- (b) Balance must be achieved on each individual committee or body where seats are available

There are presently 4 political groups in operation on the council – the Labour Group (majority), Conservative Group (opposition), Liberal Democrat (Lib Dem) Group and Rotherham Democratic Party (RDP) Group – with 1 non-aligned councillor (members who are not in a political group).

As a result of two by-elections held on 9th December 2021 the political balance of the Council has changed.

There are 149 seats available on committees, boards and panels and under the calculation the Labour Group is entitled to 83 seats, the opposition Group (Conservative) 45 seats, the Liberal Democrat Group 10 seats, the Rotherham Democratic Party Group 8 seats. 3 seats are allocated to the non-aligned councillor.

Recommendations

1. To note the new political balance of the Council as a result of the by-elections.
2. That the entitlement of the membership of the political groups be agreed and such entitlements be reflected in Council's appointments of members to committees.
3. To agree the amendment of appointments of Members to Committees, Boards and Panels to reflect the change in political balance as notified by Group Leaders.

List of Appendices Included

None

Background Papers

The Council's Constitution

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Membership of Political Groups on the Council, Political Balance and Entitlement to Seats

1. Background

- 1.1 Section 15 of the Local Government and Housing Act 1989 places on local authorities the duty to allocate seats to political groups and sets out the principles to be followed when determining such allocation. The main principles, which must be satisfied sequentially, include:
- (a) That the number of seats on ordinary Committees/Bodies which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority, as is borne by the Members of that group to the membership of the Authority (i.e. the allocation of the **total** number of seats available must mirror the political composition of the council).
 - (b) That the number of seats on the Body (Committee, etc.), which are allocated to each political group, bears the same proportion to the number of all the seats on that Body as is borne by the number of Members of that group to the membership of the Authority (i.e. the allocation of seats on **individual** committees must mirror the political composition of the council).
- 1.2 Local authorities are able to depart from the statutory provisions where there is not a vote against the arrangements.
- 1.3 Those members not in a political group may still in the discretion of the Council be allocated a due share of seats, although the Council will decide how to allocate seats to non-aligned councillors.
- 1.4 In line with the provisions of the Council's Constitution, appointments will be made to committees of the Council at this annual meeting. This report confirms the entitlement to seats on committees.

2. Political Groups

- 2.1 The Proper Officer has received formal notification, under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, of the establishment of four political groups in operation on the council, namely:

Name of Group	Designated Leader & Deputy Leader (number of Members)
Labour	Leader – Councillor Chris Read Deputy Leader – Councillor Sarah Allen (33 Members)

Conservative	Leader – Councillor Emily Barley Deputy Leader – Councillor Zachary Collingham (18 Members)
Liberal Democrat	Leader – Councillor Adam Carter (4 Members)
Rotherham Democratic Party	Leader – Councillor Rob Elliott (3 Members)

2.2 Councillor Bennett-Sylvester is unaffiliated to a political party. For the purposes of this report, Councillor Bennett-Sylvester is regarded as a non-aligned councillor.

3. Allocation of Seats

3.1 The allocation process must be applied ‘so far as is reasonably practicable’ to achieve a balanced outcome. The allocation of the 149 seats to the political groups is determined by the following formula:

$$\frac{\text{Number of Members of Political Group}}{\text{Total Number of Members of Council}} \times \text{Number of Seats to be allocated}$$

For the 149 seats available in applying principle (a) in paragraph 1.1, this gives:

Political Group	Seat Entitlement
Labour	83
Conservative	45
Liberal Democrat	10
Rotherham Democratic Party	8
<i>(balance)</i>	3
TOTAL	149

3.2 Application of principle (b) in paragraph 1.1 of this report, relating to the number of seats on individual committees, gives the following:

	Seats Available	L	C	LD	RDP	NA
Regulatory Committees/Boards						
Audit Committee	5	3	2	0	0	0
Licensing Board	21	12	6	1	1	1
Licensing Committee	15	8	5	1	1	0
Planning Board	15	8	5	1	1	0
Staffing Committee	5	3	2	0	0	0

Standards and Ethics Committee	8	4	2	1	0	1
Overview and Scrutiny						
Overview & Scrutiny Management Board	12	7	3	1	1	0
Health Select Commission	18	10	5	2	1	0
Improving Lives Select Commission	18	10	5	1	2	0
Improving Places Select Commission	18	10	5	1	1	1
Other Bodies						
Corporate Parenting Group	5	3	2	0	0	0
Introductory Tenancy Review Panel	4	2	1	0	0	1
Joint Consultative Committee	5	3	2	0	0	0
TOTAL	149	83	45	8	7	3

3.3 In the table in paragraph 3.2 above, the committees and panels listed have locally agreed provisions in respect of their membership which were determined by the Council at its annual meeting in May 2018. In the case of the pool of membership of the Employment Appeals Panel this was increased to 13 Members. For ease of reference additional information relating to appointments is set out below:

Panel	Description of Role and Function
Employment Appeals Panel	Appeal Panels shall comprise three members of the Council selected from a pool of 13 members (four of whom shall be Cabinet members, and nine of whom shall be Scrutiny Panel members and three of whom shall be members of the opposition party), who have received appropriate training on employment related issues.
Corporate Parenting Group	The Panel, in addition to the Members appointed by the Council, shall comprise of two representatives of the Adoption Panel and one representative of the Fostering Panel.

Introductory Tenancy Review Panel	The Panel shall comprise of at least three elected members from the Improving Lives Scrutiny Commission or Improving Places Scrutiny Commission and a housing policy advisor.
Joint Consultative Committee	The Committee shall comprise of the Deputy Leader, three Cabinet Members and one member of an opposition group.

4. Options considered and recommended proposal

- 4.1 The law and the authority's Constitution provide for the appointment of members to serve on committees and other bodies as a power reserved to the Council.
- 4.2 The Council may determine not to appoint to the committees at this meeting, however this will delay the conduct of the authority's business until the next available council meeting. This option is not recommended.

5. Consultation on proposal

- 5.1 Political groups have been advised of the requirement for political balance and have been requested to provide nominations to the Head of Democratic Services for the available seats ahead of this meeting.

6. Timetable and Accountability for Implementing this Decision

- 6.1 There is a requirement for the Council to make appointments to committees, boards and panels at its meeting on 12 January 2022.

7. Financial and Procurement Advice and Implications

- 7.1 There are no financial and procurement implications directly arising from this report.

8. Legal Advice and Implications

- 8.1 The legislative requirements are set out at paragraph 1.1 above.

9. Human Resources Advice and Implications

- 9.1 There are no human resources implications arising from this report.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 The appointment of members to serve on committees and other bodies of the council will indirectly impact on children and young people and vulnerable adults through the activities and decisions of those bodies. There are no apparent direct implications at the time of writing this report.

11. Equalities and Human Rights Advice and Implications

- 11.1 There are no equalities implications arising from the report. Political groups are required to have regard to the provisions of the Equality Act 2010 when nominating Member appointments to committees and other offices.

12. Implications for CO₂ Emissions and Climate Change

- 12.1 There are no implications for CO₂ Emissions and Climate Change arising from this report.

13. Implications for Partners

- 13.1 The appointment of councillors to serve on external bodies and partnerships is designed to have a positive impact on the council's relationship with those organisations and enhance the relationship through the presence of accountable and elected representatives.

14. Risks and Mitigation

- 14.1 By having regard to the detail of the report above in respect of meeting statutory requirements, any risk implications will have been mitigated. As a consequence, there are no risks to be borne in mind in respect of the recommendations.

Accountable Officer(s)

Emma Hill, Acting Head of Democratic Services

Report Author: Emma Hill, Acting Head of Democratic Services
01709 823566 emma.hill@rotherham.gov.uk

Approvals obtained on behalf of:-

	Named Officer	Date
Chief Executive		Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Named officer	Click here to enter a date.
Assistant Director of Legal Services (Monitoring Officer)	Named officer	Click here to enter a date.
Assistant Director of Human Resources (if appropriate)		Click here to enter a date.
Head of Human Resources (if appropriate)		Click here to enter a date.

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