

COUNCIL – 25 MAY 2022

Report title: Review of Allocations of Seats to Political Groups

Wards: All

Report Authorised by: Andrew Travers, Chief Executive

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REPORT SUMMARY

A review of the allocation of seats to political groups is required at, or as soon as practicable after, each Annual Meeting of the Council or when notice is received of a change in the composition of a political group. Having undertaken this annual review, the Council then has a duty to make appointments (where necessary) to those committees giving effect to the wishes of the political groups allocated the seats.

FINANCE SUMMARY

There are no financial implications arising from this report.

RECOMMENDATIONS

Full Council is asked to:

1. Note the overall Party split of seats and seat entitlements on the Council as set out in Table 1 of the report.
2. Agree (where the rules of political balance apply) the recommended allocation of seats to political groups, as set out in Table 2 of the report be adopted.
3. Reappoint its Committees with the sizes and allocation of seats between political groups as set out in Table 3 of the report.
4. Agree (where the rules of political balance do not apply) the recommended allocation of seats to political groups as set out in Table 4 of the report be adopted.
5. Note that the political balance on sub-committees will be reviewed at the first meetings of the parent committees.

1. CONTEXT

- 1.1 The current composition of the Council is Labour (58 seats), Liberal Democrats (3 seats) and Green Party (2 seats).
- 1.2 Section 15(1) of the Local Government and Housing Act 1989 requires the Council to review the representation of the different political groups on committees and for committees to do the same for their sub-committees:
 - At or as soon as practicable after, the Annual Meeting of the Council or
 - Where notice is received of a change in the composition of political groups.
- 1.3 The Chief Executive submits this report to the Council showing what allocation of seats would in his opinion best meet the requirements of section 15 of the 1989 Act.

2. PROPOSAL AND REASONS

- 2.1 Section 15 of the Local Government and Housing Act 1989 does not impose any specific requirement on the Council to consult the political groups as to which 'ordinary' committees the seats should be allocated; this only applies to the actual allocation of a seat to a particular member.
- 2.2 However, it is clearly preferable if all groups have an agreed position as to which 'ordinary' committees are to be adjusted, provided that the agreed position does not conflict with the Council's duty, which is "*to make only such determinations as give effect, so far as reasonably practicable, to the principles specified in subsection (5).*"
- 2.3 In summary these principles of determination ("principles") are that:
 - a. All the seats are not allocated to the same Group;
 - b. The majority of seats go to the Group (if any) which has an overall majority on the Council (i.e. more than 32 seats);
 - c. Subject to the above two principles, that the number of seats on the total of all the 'ordinary' committees allocated to each group bears the same proportion to the proportion on the full Council; and
 - d. Subject to (a) and (c), that the number of seats on each 'ordinary' committee allocated to each group bears the same proportion to the proportion on the full Council.

Overall Party split on the Council

- 2.4 The parties have the following seats on the Council:

Table 1

Party	Seats	Calculation	%	Seat entitlement
Labour	58	58/63	92.06%	33
Liberal Democrats	3	3/63	4.76%	2
Green	2	2/63	3.17%	1
Total	63		100%	36

Committee sizes

- 2.5 The Council has six Committees to which the duty to achieve political proportionality applies. These are: Appointments, Corporate, Overview and Scrutiny, Planning, Standards and Pensions. Table 2 below shows the number of seats on each committee:

Table 2

Committee	Number of seats
Appointments	5
Corporate	5
Overview and Scrutiny	9
Planning	7
Standards	5
Pensions Committee	5
Total	36

- 2.6 Based on the size of the committees and the total number of seats available the allocation of seats between political parties is set out in Table 3 as follows, together with the entitlements which each group has in relation to each individual committee adjusted to reflect the current agreed position on each committee:

Table 3

COMMITTEE	TOTAL	LABOUR	LIBERAL DEMOCRATS	GREEN
Ordinary Committees				
Appointments	5	4	1	0
Corporate	5	4	1	0
Overview & Scrutiny	9	7	1	1
Planning Applications	7	6	0	1

Standards Ctte	5	4	1	0
Pensions Ctte	5	4	0	1
TOTALS	36	29	4	3
Entitlement		33	2	1
Adjustment required	NB To give effect to requirement that not all seats are allocated to the same group	-4	+2	+2
Adjusted Totals		29	4	3

- 2.7 In addition, the Council has three other Committees, the Licensing Committee, the Health and Wellbeing Board and the Pensions Board which are not subject to the political balance requirements. The Council proposes the following allocation of seats to those Committees:

Table 4

Committee	Labour	Liberal Democrats	Green	Total
Health and Wellbeing Board	4	0	0	4
Licensing	8	1	1	10
Pensions Board	2	1	0	3

- 2.8 Following the allocation to a political group by the Council, or a committee, of a seat or seats on a committee or sub-committee respectively, section 15 provides that the appointments to the seats should be carried out as soon as practicable. To that end regulation 15 of the relevant Regulations provides that the political group has a backstop period of three weeks from the date that notice of allocation of seats on committees is given to express its wishes in relation to the appointment to such a seat or seats. If the group fails to express its wishes within the prescribed period, the Council (and in the case of a seats on a sub-committee, the committee) may make such appointment to that seat or seats as they think fit. Further, the group to which a seat has been allocated is entitled to express a wish that the seat be filled by a member of a different political party. However, that seat remains, in law, allocated to the first group and that group therefore retains the right to terminate the appointment.
- 2.9 Appointments to the Council's Scrutiny Sub-Committees will follow and will be confirmed at the first meeting of the Overview & Scrutiny Committee.

3. FINANCE

- 3.1 There are no capital or revenue financial implications arising as a direct result of this report.

4. LEGAL AND DEMOCRACY

4.1 The legal implications are covered in section 2 above, and generally.

4.2 No additional comments from Democratic Services.

5. CONSULTATION AND CO-PRODUCTION

5.1 None.

6. RISK MANAGEMENT

6.1 None

7. EQUALITIES IMPACT ASSESSMENT

7.1 None

8. COMMUNITY SAFETY

8.1 None.

9. ORGANISATIONAL IMPLICATIONS

Environmental

9.1 None

Health

9.2 None.

Corporate Parenting

9.3 None.

Staffing and accommodation

9.4 None.

Responsible Procurement

9.5 None.

10. TIMETABLE FOR IMPLEMENTATION

10.1 Not applicable

AUDIT TRAIL

Name and Position/Title	Lambeth Directorate	Date Sent	Date Received	Comments in paragraph:
Andrew Travers, Chief Executive	Chief Executive	19.05.22	19.05.22	
Hamant Bharadia, Assistant Director of Finance	Finance and Property	19.05.22	19.05.22	
Raymond Prince, Director of Legal Services and Governance	Legal and Governance	09.05.22	09.05.22	All
Victoria Lower, Deputy Democratic Services Manager	Legal and Governance	21.03.22	21.03.22	

REPORT HISTORY

Original discussion with Cabinet Member	N/A
Report deadline	17.05.22
Date final report sent	19.05.22
Part II Exempt from Disclosure/confidential accompanying report?	No
Key decision report	No
Date first appeared on forward plan	N/A
Key decision reasons	N/A
Background information	Relevant Legislation: Local Government and Housing Act 1989 Local Government (Committee and Political Groups) Regulations 1990
Appendices	None