

Council
27 May 2021

Report of the Director of Corporate and Customer Services

MEMBERSHIP OF POLITICAL GROUPS, POLITICAL BALANCE AND ENTITLEMENT TO SEATS ON COMMITTEES

PURPOSE OF REPORT

To report on the updated membership of political groups on the Council, the change to the political balance of the authority following the by-elections held on 6 May 2021 and the revised entitlement of political groups to seats on committees for the 2021/22 municipal year.

RECOMMENDATION

1. That the operation of four political groups on the Council and the detail of their designated Leaders be noted:
 - (a) Conservative Group – Councillor Garry Purdy
 - (b) Green and Independent Group – Councillor Neil Buttle
 - (c) Labour Group – Councillor Mike Ratcliffe
 - (d) Liberal Democrat Group – Councillor Steve Flitter

2. That, subject to the election of the Leader and Deputy Leader of the Council earlier on the agenda, the following special responsibility allowances be paid:
 - (a) Councillor Purdy - £12,024
 - (b) Councillor Flitter - £1,617
 - (c) Councillor Buttle - £1,115
 - (d) Councillor Hobson - £6,012

3. That the Council notes, and agrees, the entitlement of the membership of the political groups and that such entitlements have been reflected in the allocations to Committees.

WARDS AFFECTED

District-wide

STRATEGIC LINK

The strategic leadership provided by Councillors in discharging the functions of the Council through committees and other bodies is critical to the delivery of all priorities in the Corporate Plan.

1 BACKGROUND

- 1.1 The Proper Officer is required to notify the Council of any change in the political balance of the authority or the operation of new political groups under the Local Government (Committees and Political Groups) Regulations 1990. Since the last Council meeting, the two new councillors have been elected to serve on the District Council and have joined existing political groups.
- 1.2 On 6 May 2021, Councillor Murphy was elected to represent Masson Ward and Councillor Greatorex was elected to represent the Wirksworth Ward. The effect of these results means there are 22 Members in the Conservatives and Councillors Bright & Elliott Group and there are 4 Members in the Labour Group. Following the by-elections the Conservatives and Councillors Bright & Elliott Group continue to hold the majority of seats on the Council.
- 1.3 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).
- 1.4 Local authorities are able to depart from the statutory provisions where there is unanimous agreement to do so.
- 1.5 Those members not in a political group are entitled to a due share of seats, although the Council will decide how to allocate seats to any non-aligned councillor

2 POLITICAL GROUPS

- 2.1 The Proper Officer has received formal notifications, under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, of changes in the membership of the Council's political groups.
- 2.2 On 7 May 2021, Councillor Murphy became a member of the Conservatives and Councillors Bright & Elliott Group, which increased in size to 22 Members as a result. Similarly, Councillor Greatorex was elected on the same date and became a member of the Labour Group. The effect of this was to increase the membership of the Labour Group to 4 Members.
- 2.3 The Conservatives and Councillors Bright & Elliott Group holds the majority of seats on the Council and is in overall control of the authority. The political balance of the Council is now:

Name of Group	Designated Leader	Number of Members
Conservative and Councillors Bright & Elliott	Councillor Purdy	22
Green and Independent	Councillor Buttle	5
Labour	Councillor Ratcliffe	4
Liberal Democrat	Councillor Flitter	7

- 2.4 Councillor Swindell does not belong to a political group and for the purposes of this report is designated as a non-aligned Member.
- 2.5 Following the by-elections, the change in group memberships has an impact in respect of the Special Responsibility Allowances paid to the Leader and Deputy Leader of the Council. In the event of the Council electing Councillor Purdy and Councillor Hobson as Leader and Deputy Leader of the Council, the special responsibility allowances payable to Councillor Purdy will increase to £12,024, and consequently the allowance paid to Councillor Hobson would increase to £6,012, to reflect the increase in membership of the majority group.
- 2.6 The allowances paid to Councillor Flitter as leader of the first opposition group and Councillor Buttle as leader of the second opposition group will continue to be paid accordingly.

3 ENTITLEMENT TO SEATS

- 3.1 The allocation process must be applied 'so far as is reasonably practicable' to achieve a balanced outcome. The allocation of seats to the four political groups and non-aligned is determined by the following formula:

$$\frac{\text{Number of Members in a political group}}{\text{Total Number of Members of the Council (39)}} \times \text{Number of Seats to be allocated}$$

- 3.2 In order to the allocate seats to Committees and achieve balance on individual committees, as well as overall, it has been necessary to change the size of committees as follows:

Governance and Resources	17 (was 16)
Community and Environment	17 (no change)
Planning	13 (no change)
Licensing and Appeals	13 (was 12)
Joint Consultative	6 (no change)
Joint ICT	3 (no change)
Constitution Working Group	7 (no change)
Local Plan Advisory Group	10 (no change)

3.3 For the 86 seats available in applying principle (a) in paragraph 1.3, this gives:

Political Group	Seat Entitlement
Conservatives and Councillors Bright & Elliott	49
Green and Independent	11
Labour	9
Liberal Democrats	15
Non-Aligned	2

3.4 Application of principle (b) in paragraph 2.1 of this report, relating to the number of seats on individual committees, gives the following:

	Membershi p	Conservativ e Group and Cllrs Bright & Elliott	Green and Independe nt Group	Labour Group	Liberal Democrat Group	Non- aligned Member
		22	5	4	7	1
Committees						
Governance and Resources	17	10	2	2	3	0
Community and Environment	17	10	2	2	3	0
Planning	13	7	2	1	2	1*
Licensing and Appeals	13	7	2	1	2	1*
Joint Consultative	6	3	1	1	1	0
Joint ICT	3	2	0	0	1	0
Constitution Working Group	7	4	1	1	1	0
Local Plan Advisory Group	10	6	1	1	2	0
TOTALS	86	49	11	9	15	2

*One seat is allocated to the non-aligned Member to ensure that balance is achieved overall and on the Planning and Licensing & Appeals Committee

3.5 This calculation enables all of the political groups to take up a proportion of the seats on committees that matches their overall entitlement. The calculation leaves two vacant seats, one each on the Planning Committee and the Licensing and Appeals Committee. Whilst Councillor Swindell, as a non-aligned Member, is not part of a political group, the allocation of these seats to him would enable the overall balance of the Council to be reflected in the allocation of seats.

4 ASSESSMENT

4.1 Legal

The legislative requirements in respect of political balance and entitlement to seats are set out earlier in this report. The recommended approach will reduce the legal risk to the authority and on this basis, the legal risks associated with this report are considered to be low.

4.2 Financial

The proposed allowances can be contained within the existing revenue budget. The financial risk is therefore assessed as low.

5 OTHER CONSIDERATIONS

5.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

6 CONTACT INFORMATION

James McLaughlin - Director of Corporate and Customer Services
Tel: 01629 761281 or Email: james.mclaughlin@derbyshiredales.gov.uk

7 BACKGROUND PAPERS

None

8 ATTACHMENTS

None