

**SOUTH STAFFORDSHIRE COUNCIL****COUNCIL – 7 MAY 2024****POLITICAL BALANCE****REPORT OF THE MONITORING OFFICER****PART A – SUMMARY REPORT****1. SUMMARY OF PROPOSALS**

The report details the position re political balance in accordance with section 15 of the Local Government and Housing Act 1989.

**2. SUMMARY IMPACT ASSESSMENT**

|                                         |                                                                    |                                                                                                                                                                            |
|-----------------------------------------|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POLICY/COMMUNITY<br>IMPACT              | Do these proposals contribute to specific Council Plan objectives? |                                                                                                                                                                            |
|                                         | N/a                                                                | Legal requirement                                                                                                                                                          |
|                                         | Has an Equality Impact Assessment (EqIA) been completed?           |                                                                                                                                                                            |
|                                         | No                                                                 | None needed – meets legal requirements of the Local Government and Housing Act 1989                                                                                        |
| SCRUTINY POWERS<br>APPLICABLE           | No                                                                 |                                                                                                                                                                            |
| KEY DECISION                            | No                                                                 |                                                                                                                                                                            |
| TARGET COMPLETION/<br>DELIVERY DATE     | 7 May 2024                                                         |                                                                                                                                                                            |
| FINANCIAL IMPACT                        | No                                                                 | This report has no financial implications.                                                                                                                                 |
| LEGAL ISSUES                            | Yes                                                                | It is a legal requirement of the Council that it ensures the seats in the various committees meet the requirements of political balance. This report ensures that is done. |
| OTHER IMPACTS, RISKS &<br>OPPORTUNITIES | No                                                                 | No other specific risks and implications.                                                                                                                                  |
| IMPACT ON SPECIFIC<br>WARDS             | No                                                                 | Applies to all of the Council                                                                                                                                              |

**PART B – ADDITIONAL INFORMATION****3. INFORMATION**

- 3.1 As set out above it is a legal requirement that the Council has political balance in accordance with section 15 of the Local Government and Housing Act 1989 (the 1989 Act).

The Council elections, which were “all out” elections, took place on 4 May 2023. The election produced the following result:

- Conservatives – 29 seats
- Independents – 5 seats
- Liberal Democrats – 4 seats
- Green Party – 2 seats
- Labour – 2 seats

- 3.2 The Conservative Group (made up of 29 members) is the largest single group. There are currently 4 opposition groups, the South Staffordshire Independents Group (made up of 5 members), the Liberal Democrats Group (made up of 4 members), the Green Group (made up of 2 members) and the Labour Group (made up of 2 members).

- 3.3 The provisions of the Local Government and Housing Act 1989 require the Council to review the representation of each political group on committees, panels etc. at each annual meeting or as soon as practicable after that meeting.

The regulations require that all Scrutiny, Standing and Regulatory Committees are politically balanced across the total number of committee places. Subject to that overriding requirement, each committee must also be politically balanced, as far as it is reasonably practicable.

The Cabinet is not subject to the political balance rules. Advisory bodies such as Member Working Groups and other ad hoc bodies and groups are not subject to the political balance rules either.

Section 15(4) sets out 4 rules and requires authorities to apply them in descending order of priority.

- *The first rule is that, where some or all of the members of an authority have formed into two or more political groups, then no Committee may comprise just members from the same political group.*

- *The second rule is that, where a majority of members of Council are members of one political group, that political group must have a majority of the seats on each Committee. For example, which dictates that a 10-member Committee be split at least 6:4.*

- *The third rule provides that, without being inconsistent with the first two rules, the number of seats allocated to each political group on all the Committees taken together be as near as possible proportionate to their strength on Council.*

*• The fourth rule provides that, so far as is consistent with Rules 1 to 3, each political party must be allocated that number of seats on each Committee taken individually as is proportionate to their strength on the Council. However, as set out above, this is subject to the need to give the majority group, a majority on each Committee.*

Any seats left unallocated go by default to any members who are not members of any political group. The decision on who these are allocated to is made by Council as those members do not belong to a Group.

The Council can only depart from these rules by passing a resolution with no member voting against the resolution, as it has previously done in relation to the Licensing and Regulatory Committee Sub-Committees (at the meeting on 24<sup>th</sup> March 2015).

3.4 The following political groups have the following political share:

- Conservative Group has a 69.0% share of the seats, this is based on 29 seats out of a total of 42 seats.
- The South Staffordshire Independents Group has a 11.9% share of the seats, this is based on 5 seats out of a total of 42 seats. As this group is the largest of the opposition groups, this is the major opposition group.
- The Liberal Democrat Group has a 9.5% share of the seats, this is based on 4 seats out of a total of 42 seats.
- The Green Group has a 4.8% share – this is based on 2 seats out of a total of 42 seats.
- The Labour Group has a 4.8% share – this is based on 2 seats out of a total of 42 seats.

3.5 No members are outside of the political groups listed above.

3.6 The total number of Committee seats available is 132. On that basis, based on the third rule above:

- the Conservative Group should have a total of 91 seats
- the South Staffordshire Independents Group should have a total of 16 seats
- the Liberal Democrats Group should have a total of 13 seats
- the Green Group should have a total of 6 seats
- the Labour Group should have a total of 6 seats.

3.7 The proposed allocation is

| <b>Committee</b>                             | <b>Total Seats</b> | <b>Conservative Group</b> | <b>South Staffordshire Independents Group</b> | <b>Liberal Democrats Group</b> | <b>Green Group</b> | <b>Labour Group</b> |
|----------------------------------------------|--------------------|---------------------------|-----------------------------------------------|--------------------------------|--------------------|---------------------|
| Planning                                     | 18                 | 12                        | 2                                             | 2                              | 1                  | 1                   |
| Licensing and Regulatory                     | 15                 | 10                        | 2                                             | 1                              | 1                  | 1                   |
| Audit & Risk                                 | 8                  | 6                         | 1                                             | 1                              | 0                  | 0                   |
| Asset Scrutiny                               | 7                  | 5                         | 1                                             | 1                              | 0                  | 0                   |
| Well Being                                   | 13*                | 9                         | 1                                             | 1                              | 1                  | 1                   |
| Standards and Resources                      | 12                 | 8                         | 1                                             | 1                              | 1                  | 1                   |
| Standards and Resources – hearing            | 6                  | 4                         | 1                                             | 0                              | 1                  | 0                   |
| Standards and Resources – assessment         | 6                  | 4                         | 0                                             | 1                              | 0                  | 1                   |
| Lottery Advisory Panel                       | 10                 | 7                         | 1                                             | 1                              | 0                  | 1                   |
| Local Joint Committee                        | 6                  | 4                         | 1                                             | 1                              | 0                  | 0                   |
| Personal Development and Review**            | 6                  | 4                         | 1                                             | 0                              | 1                  | 0                   |
| Discretionary Housing Payments Scheme        | 8                  | 6                         | 1                                             | 1                              | 0                  | 0                   |
| Disciplinary and Grievance Appeals Committee | 7                  | 5                         | 1                                             | 1                              | 0                  | 0                   |
| Investigatory & Disciplinary Committee       | 7                  | 5                         | 1                                             | 1                              | 0                  | 0                   |
| Housing Review Panel                         | 3                  | 2                         | 1                                             | 0                              | 0                  | 0                   |
| <b>TOTAL</b>                                 | <b>132</b>         | <b>91</b>                 | <b>16</b>                                     | <b>13</b>                      | <b>6</b>           | <b>6</b>            |

\* = includes Staffordshire County Council Representative (currently Conservative nominee)

\*\* = Constitution states that Leader of the Main Opposition must be on this Committee.

#### 4. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

None

5. PREVIOUS MINUTES

24 March 2015 – for resolution that political balance rules do not apply to Sub-Committees of the Licensing and Regulatory Committee.

6. BACKGROUND PAPERS

Section 15 of the 1989 Act.

**7. RECOMMENDATION**

7.1 That the overall proportions for committees set out in paragraph 3.6 be approved.

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